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# GENERAL PLAN

## ENVIRONMENTAL IMPACT REPORT

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**CITY OF NEWMAN**

**GENERAL PLAN**

**FINAL ENVIRONMENTAL IMPACT REPORT**

**SCH #91083068**

**Certified October 20, 1992**

**J. Laurence Mintier & Associates**

**and**

**Associated Consultants**



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## INTRODUCTION

The City of Newman *General Plan* is the result of over two years of work by a multi-disciplinary consultant team, City staff, the Newman Planning Commission, and the Newman City Council. This *Environmental Impact Report (EIR)* documents the environmental considerations incorporated into the process of preparing the *General Plan* and evaluates the environmental effects and implications of the draft plan.

Preparation of a draft and final environmental impact report is mandated by the California Environmental Quality Act (CEQA). Detailed requirements concerning both content and process are set forth in the California Administrative Code, Title 14, Chapter 3: *Guidelines for Implementation of the California Environmental Quality Act* (hereinafter referred to as *State CEQA Guidelines*).

The *State CEQA Guidelines* provides the following general directions concerning the coordination of planning and environmental impact assessment:

### §15080. General.

To the extent possible, the EIR process should be combined with the existing planning, review, and project approval process used by each public agency.

The *State CEQA Guidelines* provide for combining the EIR with the general plan as follows:

### §15166. EIR as Part of a General Plan.

(a) The requirements for preparing an EIR on a local general plan, element, or amendment thereof will be satisfied by using the general plan, or element document, as the EIR and no separate EIR will be required, if:

- (1) the general plan addresses all the points required to be in an EIR by Article 9 of these Guidelines; and
- (2) the document contains a special section or a cover sheet identifying where the general plan document addresses each of the points required.

In accordance with these two sections of the *State CEQA Guidelines*, and in an effort to minimize repetition of information, five separate General Plan documents are being used to satisfy the requirements for an EIR. These are: 1) the *General Plan Policy Document*; 2) the *General Plan Background Report*, which describes existing conditions and trends in Newman; 3) the *General Plan Issues and Options Report*, which was prepared prior to the *General Plan Policy Document* and describes planning issues and policy, program, and land use options; 4) the *Sketch Plan Alternatives Report*, which was prepared following City Council direction on the *Issues and Options Report*; and 5) this *Environmental Impact Report*, which assesses the environmental effects of the *General Plan*. Together, these five documents address all the issues required to be addressed in an EIR. Appendix A describes where all the issues required in an EIR are addressed in the various *General Plan* documents.

It should be noted that the *Draft Environmental Impact Report* was comprehensively revised to yield the *Final EIR*, including revised buildout calculations and revisions based on changes to the *General Plan* and comments on the *Draft EIR*.



## PURPOSES OF CEQA AND EIRS

The purposes of CEQA (and thus EIRs) are summarized in Article 1 of the *State CEQA Guidelines*. Article 1 reads, in part, as follows:

### §15002. General Concepts.

(a) Basic Purposes of CEQA. The basic purposes of CEQA are to:

- (1) Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- (2) Identify ways that environmental damage can be avoided or significantly reduced.
- (3) Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- (4) Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

Subsection (f) of this section summarizes the purpose and content of an EIR:

(f) Environmental Impact Reports and Negative Declarations. An environmental impact report (EIR) is the public document used by the governmental agency to analyze the significant environmental effects of a proposed project, to identify alternatives, and to disclose possible ways to reduce or avoid the possible environmental damage.

- (1) An EIR is prepared when the public agency finds substantial evidence that the project may have a significant effect on the environment. (See §15064(a)(1).)

Subsection (g) summarizes the concept of "significant effect":

(g) Significant Effect on the Environment. A significant effect on the environment is defined as a substantial adverse change in the physical conditions which exist in the area affected by the proposed project. (See §15382). Further, when an EIR identifies a significant effect, the government agency approving the project must make findings on whether the adverse environmental effects have been substantially reduced or if not, why not. (See §15091.)

The *State CEQA Guidelines* discusses the treatment of economic and social effects as follows:

### §15131. Economic and Social Effects

- (a) Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to



trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.

- (b) Economic or social effects of a project may be used to determine the significant of physical changes cause by the project.... Where an EIR uses economic or social effects to determine that a physical change is significant, the EIR shall explain the reason for determining that the effect is significant.
- (c) Economic, social, and particularly housing factors shall be considered by public agencies together with technological and environmental factors in deciding whether changes in a project are feasible to reduce or avoid the significant effects on the environment identified in the EIR. If information on these factors is not contained in the EIR, the information must be added to the record in some other manner to allow the agency to consider the factors in reaching a decision on the project.

The express purpose of an EIR is further elaborated in Section 15121:

**§15121. Informational Document.**

- (a) An EIR is an informational document which will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency.
- (b) While the information in the EIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the EIR by making findings under Section 15091 and, if necessary, by making a statement of overriding considerations under Section 15093.
- (c) The information in an EIR may constitute substantial evidence in the record to support the agency's action on the project if its decision is later challenged in court.

## TYPES OF EIRS

The precise format for the EIR is not dictated by CEQA or the *State CEQA Guidelines*, but is left to the discretion of the lead agency preparing the EIR. Several types of EIR or alternatives for formatting EIRs are described in the *State CEQA Guidelines*. Of particular relevance to a general plan EIR are Program EIRs and Master Environmental Assessments (MEAs).

The *State CEQA Guidelines* describes a Program EIR as follows:

### §15168. Program EIR.

- (a) General. A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:
  - (1) Geographically,
  - (2) As logical parts in the chain of contemplated actions,
  - (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
  - (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

The *State CEQA Guidelines* describes a Master Environmental Assessment as follows:

### §15169. Master Environmental Assessment.

- (a) General. A public agency may prepare a Master Environment Assessment, inventory, or data base for all, or a portion of, the territory subject to its control in order to provide information which may be used or referenced in EIRs or Negative Declarations. Neither the content, the format, nor the procedures to be used to develop a Master Environmental Assessment are prescribed by these Guidelines. The descriptions contained in this section are advisory. A Master Environmental Assessment is suggested solely as an approach to identify and organize environmental information for a region or area of the state.

The chief advantage of Program EIRs and MEAs is that they can be used to streamline CEQA compliance for a broad range of subsequent projects. Program EIRs or MEAs can be used as the basis for preparing initial studies on individual projects; they can be used as the basis for issuing negative declarations on individual projects; and they can be referenced in subsequent EIRs to address major and cumulative impacts of projects, allowing project-level EIRs to focus on more site-specific impacts. Preparing a Program EIR or MEA does not obviate the need for environmental analysis on individual projects, but it can expedite and simplify subsequent environmental reviews under CEQA.

For these reasons, this EIR has been organized and is intended to be used as both a Program EIR and a Master Environmental Assessment.

## USE OF THIS EIR

This EIR serves three basic purposes. First, it establishes the environmental framework for adoption of the *General Plan*, providing information to the public, Planning Commission, and City Council regarding the potential consequences of adopting the plan. Second, it serves as a first-tier EIR for subsequent EIRs on projects implementing the *General Plan* (e.g., specific plans). Finally, it may be used by the Stanislaus County Local Agency Formation Commission as the environmental document supporting adoption of a revised sphere of influence for the City of Newman following adoption of the *General Plan*.

## ORGANIZATION OF THIS DOCUMENT

The main body of this *Environmental Impact Report* is divided into nine chapters, each discussing a different set of environmental considerations. These nine chapters are organized as follows:

**Chapter I** describes the process used to prepare the *General Plan*, outlines the key features of the *General Plan*, and summarizes the environmental effects of the draft plan.

**Chapter II** summarizes the assumptions used in developing the buildout calculations upon which much of the rest of the assessment is based.

**Chapter III** evaluates the land use, housing and population implications of the plan.

**Chapter IV** assesses transportation impacts.

**Chapter V** reviews public facility and service impacts.

**Chapter VI** assesses the plan's impact on recreational and cultural resources.

**Chapter VII** examines the plan's impacts on natural resources.

**Chapter VIII** reviews health and safety implications of the plan.

**Chapter IX** addresses mandatory EIR sections, including alternatives, short-term versus long-term uses, significant irreversible effects, growth-inducing impacts, and cumulative impacts.

**Appendices:** Several technical appendices include materials which are essential to the full understanding of the EIR. Comments on the *Draft EIR* and the responses to these comments are included as Appendix G and H, respectively.

For each subject addressed in Chapters III through VIII, the discussion is broken into the following four parts:

1. **Implications of the General Plan Land Use Diagram:** This discussion contains a brief summary of the conditions which would result from development of the land uses shown on the *General Plan Land Use Diagram* without consideration of the policies and programs included in the *General Plan Policy Document*. This section also discusses the assumptions and methodology used to identify implications and to assess impacts.



2. **General Plan Policy Response:** This section outlines policies from the *General Plan Policy Document* which address the subject being discussed. While this discussion focuses primarily on policies which respond directly to the potential negative implications of the *Land Use Diagram*, it also in some cases identifies policies which further reduce impacts that may not be significant.
3. **Impacts:** This section describes any negative environmental impacts of the *Land Use Diagram* which would remain unresolved or potentially unresolved by the policies contained in the *Policy Document*. This discussion includes an assessment of the severity of the impact, including a conclusion as to whether the impacts are considered significant according to *CEQA*. The impacts are characterized as "significant," "potentially significant," "less-than-significant," or "not significant for purposes of *CEQA*."
4. **Mitigation Measures:** This section identifies mitigation measures that could lessen or eliminate negative impacts identified as "significant" or "potentially significant" according to *CEQA* standards, or, in some cases, to provide additional mitigation for impacts that are considered "less-than-significant."

## CHAPTER I

### PROJECT DESCRIPTION AND IMPACT SUMMARY

#### A. INTRODUCTION

This chapter describes the process used to prepare the *General Plan*, outlines the key features of the *General Plan*, and summarizes the environmental effects of the draft plan.

#### B. THE GENERAL PLAN PREPARATION PROCESS

Prompted by growth pressures and concern over the future direction of Newman, in late 1989, the City of Newman initiated a comprehensive revision of its 1976 *General Plan*. The City retained a multi-disciplinary consulting team headed by J. Laurence Mintier & Associates to assist the City in its general plan effort. The first step in the process was preparation of a *Community Concerns Summary Report* based on a townhall meeting in January 1990, a series of interviews with City officials, and responses to a widely-distributed survey form.

As the foundation for policy development, the consulting team subsequently prepared a detailed *Background Report* describing existing conditions and trends in Newman. The *Background Report* includes chapters on land use, housing, population, economic conditions and fiscal considerations, transportation and circulation, public facilities and services, recreational and cultural resources, natural resources, health and safety, and scenic resources and urban design. For the purposes of collecting environmental and public service data for the *General Plan*, the City of Newman defined a Study Area of approximately 11,000 acres. The Study Area consists of the incorporated city and unincorporated area extending north to Lundy Road, south to the Newman Wasteway, west to Eastin Road, and east nearly to the San Joaquin River.

The next major step in the process was to identify key issues and options for the general plan and summarize them for public review in the *Issues and Options Report*. Based largely on the findings in the *Community Concerns Summary Report* and the *Background Report*, this report focused on what the consulting team believed would be the most important policy, program, land use, circulation, and development concerns to be addressed in the general plan. In addition, the consulting team considered the results of extensive discussions with City officials, other public agencies, industry groups, property owners, developers, community groups, and individual citizens.

Following its release, the *Issues and Options Report* was reviewed for the public at a townhall meeting and two community workshops during December 1990 and January 1991, then considered by the Planning Commission and City Council. During January and February, the Planning Commission and City Council held a joint public hearing to review the *Issues and Options Report* and receive public testimony. The Planning Commission met three times during January and the City Council in turn held two meetings in February 1991 to review the *Issues and Options Report*. On February 12, 1991, the City Council made its final recommendations on the *Issues and Options Report*. For each issue discussed in the *Issues and Options Report*, the City Council selected one or more options, in some cases combining options and in other cases modifying the options. The City Council also identified a Planning Area of approximately 4,350 acres within the larger Study Area to be designated for urban development in the *General Plan*. Using this Planning Area, the City Council directed the consulting team to prepare sketch plans for three population alternatives for further review by the public and City Council.

Based on the City Council's direction and in cooperation with City staff, the consulting team prepared a *Sketch Plan Alternatives Report*. The *Sketch Plan Alternatives Report* described the major land use, circulation, and urban form issues for three sketch plan alternatives and provided a broad analysis of their implications. In May 1991, the Planning Commission and City Council held a joint public hearing to review the *Sketch Plan Alternatives Report* and receive public testimony. The Planning Commission met once in June and the City Council in turn held two meetings in June to review the *Sketch Plan Alternatives Report*. On June 25, the City Council made its final recommendations on the *Sketch Plan Alternatives Report*. The City Council subsequently held a public hearing on August 13, 1991, to review growth management alternatives for possible inclusion in the *General Plan*.

Based on the City Council's direction on the *Issues and Options Report* and *Sketch Plan Alternatives Report* and in cooperation with City staff, the consulting team prepared the draft goals, policies, and implementation programs and land use and circulation diagrams constituting the *Policy Document* of the *Draft General Plan*. At the same time, the consulting team prepared a *Draft Environmental Impact Report* (EIR) to meet the requirements of the California Environmental Quality Act. The *Draft General Plan* was released in September 1991 and the *Draft EIR* in November 1991.

The Planning Commission and City Council held two joint public hearings in October 1991 to receive public comment on the *Draft General Plan* and another joint public hearing in January 1992 to receive public comment on the *Draft EIR*. During December 1991, and January 1992, the Planning Commission met four times to review the *Draft General Plan*. In February 1992, the City Council held a public workshop on the *Draft General Plan*. Subsequently, the City Council held nine meetings during April through July, 1992, to review the *Draft General Plan* and *Draft EIR*. On July 14, 1992, the City Council gave its final directions on the *Draft General Plan* and directed the consultants to prepare the final *General Plan*.

Based on the direction set out by the City Council, the consulting team revised the *General Plan* documents. Following a public hearing by the Planning Commission and City Council on September 29, 1992, the City Council adopted the *General Plan* and certified the *Final EIR* on October 20, 1992.

Throughout the general plan preparation and review process the City made every effort to notify the public and community groups of opportunities to be involved in the process. Public hearings and meetings were formally noticed in local newspapers and Newman newspapers regularly carried topical articles on the progress of the General Plan program.

## C. GENERAL PLAN STRUCTURE AND ORGANIZATION

The *Newman General Plan* consists of two documents: the *General Plan Background Report* and the *General Plan Policy Document*. The *General Plan Background Report* inventories and analyzes existing conditions and trends in Newman. The *Background Report*, which provides the formal supporting documentation for general plan policy, addresses ten subject areas: land use; housing; population; economic conditions and fiscal considerations; transportation and circulation; public facilities and services; cultural and recreational resources; natural resources; health and safety; and scenic resources and urban design.

The *General Plan Policy Document* includes the goals, policies, standards, implementation programs, quantified objectives, draft land use diagram, and draft circulation plan diagram that constitute the formal policy of the City of Newman for land use, development, and environmental quality. The following



definitions describe the nature of the statements of goals, policies, standards, implementation programs, and quantified objectives as they are used in this document:

**Goal:** *The ultimate purpose of an effort stated in a way that is general in nature and immeasurable.*

**Policy:** *A specific statement in text or diagram guiding action and implying clear commitment.*

**Standard:** *A specific, often quantified guideline, incorporated in a policy or implementation program, defining the relationship between two or more variables. Standards can often translate directly into regulatory controls.*

**Implementation Program:** *An action, procedure, program, or technique that carries out general plan policy. Implementation programs also specify primary responsibility for carrying out the action and a time frame for its accomplishment.*

**Quantified Objective (Housing only):** *The number of housing units that the City expects to be constructed and the number of households the City expects will be assisted through Housing Element programs and based on general market conditions during the time frame of the Housing Element.*

The *General Plan Policy Document* is divided into three main parts. Part I describes the designations appearing on the *Land Use Diagram* and outlines the standards of population density and building intensity for these land use designations. Part I also contains a diagram depicting the proposed circulation system and a description of the street classification system.

Part II contains explicit statements of goals, policies, and standards. Part II is divided into sections roughly corresponding to the organization of issues addressed in the *General Plan Background Report*. These are: I. Land Use; II. Transportation and Circulation; III. Housing; IV. Public Facilities and Services; V. Recreational and Cultural Resources; VI. Natural Resources; VII. Health and Safety; VIII. Community Design; and IX. Administration. Each section includes several goal statements relating to different sub-issues or different aspects of the issue addressed in the section. For each goal statement there are several policies which amplify the goal statement.

Part III lists implementation programs for the general plan goals and policies. Implementation programs describe briefly the proposed action, the agencies or departments with primary responsibility for carrying out the program, and the time frame for accomplishing the program. The implementation section for housing includes a statement of quantified housing objectives, required by state law as part of the housing element.

Appendix A of the *General Plan Policy Document* provides guidelines for the preparation of specific plans and neighborhood plans for designated areas in the Planning Area.

## D. IMPACT SUMMARY

As described in the introduction, the *EIR* assesses the implications within each subject/category (e.g., sewer, agricultural lands, flooding) of the *General Plan Land Use Diagram* without consideration of the policies and programs contained in the *General Plan Policy Document*. The *EIR* then describes the policies contained in the *General Plan Policy Document* that address any negative implications of the *Land Use Diagram*. Next, the *EIR* assesses the impacts of the combination of the *Land Use Diagram* and

the policies contained in the *General Plan Policy Document* to reach a determination concerning the level of significance of impacts for CEQA purposes. Finally, the *EIR* identifies mitigation measures to address any remaining adverse or potentially adverse impacts.

The *EIR* concludes that in three areas the *General Plan* will, taken as a whole, result in significant adverse impacts.

1. The *General Plan* establishes Level of Service C as the traffic standard. At buildout of the *General Plan*, traffic will exceed Level of Service C along Highway 33 between Yolo Street and Inyo Avenue. This is considered to be a significant adverse impact as it exceeds the *General Plan*'s stated goal. The right-of-way along Highway 33 is limited, and thus widening of this roadway segment is not feasible.
2. The *EIR* identifies the loss of productive agricultural land through urbanization as a significant impact. Potential cancellation and nonrenewal of Williamson Act contracts is also considered a significant impact. This impact cannot be mitigated without removing the land from the Planning Area or designating it for agricultural uses.
3. The *EIR* concludes that development under the *General Plan* will have a significant impact on regional air quality. Because Stanislaus County is already in nonattainment of federal and state air quality standards, *any* new development in the region will contribute to regional air pollutant emissions and will further delay attainment of federal and state standards. While the *General Plan* includes policies which would mitigate air quality impacts, the impact on regional air quality is considered a significant adverse impact.

## CHAPTER II

### ASSUMPTIONS AND BUILDOUT CALCULATIONS

#### A. INTRODUCTION

This chapter summarizes the new development potential that would be allowed under the *General Plan* and the assumptions upon which these buildout calculations are based. These buildout calculations are in turn used as the basis of much of the impact assessment in the rest of this report.

#### B. RESIDENTIAL DENSITY AND BUILDING INTENSITY ASSUMPTIONS

The following general assumptions concerning residential intensity, population density, and building intensity were used in developing calculations of buildout potential under the *General Plan*. For each land use designation, the *General Plan Policy Document* specifies either a range of intensities for residential uses or a maximum floor-area ratio (FAR) for nonresidential uses.

Standards of building intensity for residential uses are stated as the allowable number of dwelling units per gross acre. The assumed average number of persons per dwelling unit for each residential designation has been extrapolated from U.S. Census Bureau estimates for Newman.

Standards of building intensity for non-residential uses are stated as maximum floor-area ratios (FARs). An FAR is a ratio of the gross building square footage permitted on a lot to the net square footage of the lot. For example, on a site with 10,000 net square feet of land area, an FAR of 1.0 will allow 10,000 gross square feet of building floor area to be built. On the same site, an FAR of 2.0 would allow 20,000 square feet (e.g., two-story building with 100 percent of coverage); and an FAR of 0.4 would allow 4,000 square feet of floor area.

The buildout assumptions (i.e., dwelling units per acre, FAR) used in this chapter are lower than the maximum intensities specified in Part I of the *General Plan Policy Document* for the various land use designations. These lower assumptions are reasonable expectations, based on historical experience, for the likely intensity of actual development. These assumed residential intensities and FARs have been applied to the acreage within each land use designation to develop buildout calculations.

##### 1. Residential

**Low Density Residential (LDR)** 1.1 to 5.0 units per gross acre. Assumes residential buildout at 4.0 units per gross acre with 3.00 persons per dwelling unit.

**Central Residential (CR)** 3.1 to 12.0 units per gross acre. Assumes residential buildout at 6.0 units per gross acre with 3.00 persons per dwelling unit.

**Medium Density Residential (MDR)** 5.1 to 12.0 units per gross acre. Assumes residential buildout at 10.0 units per gross acre with 2.75 persons per dwelling unit.

**High Density Residential (HDR)** 12.1 to 20.0 units per gross acre. Assumes residential buildout at 16.0 units per gross acre with 2.50 persons per dwelling unit.



**Neighborhood Planned Residential (NPR)** 1.1 to 20.0 units per gross acre. Average residential density for residential land shall not exceed 7.5 units per gross acre. Assumes residential buildout at 6.5 units per gross acre with 2.75 persons per dwelling unit.

**Planned Mixed Residential (PMR)** The Planned Mixed Residential designation shall be replaced with a Low, Medium, or High Density Residential designation or Recreation and Parks or Public/Quasi-Public Designation based on its approved density or use. Assumes that the PR designation will be developed residentially according to a general policy goal of the maintaining the following mix of residential densities: 75 percent low density, 15 percent medium density, and 10 percent high density. Average residential density for residential land shall not exceed 6 units per gross acre. Assumes residential build out at 4.8 units per gross acre at 2.75 persons per dwelling unit.

## 2. Commercial

**Downtown (D)** The floor-area ratio (FAR) shall not exceed 2.0. Assumes commercial buildout at an FAR of 1.00, with the exception of the proposed shopping center, which assumes buildout at an FAR of 0.25. Assumes residential buildout at 8.0 units per gross acre with 2.75 persons per dwelling unit.

**General Commercial (GC)** The floor-area ratio (FAR) shall not exceed 0.40. Assumes commercial buildout at an FAR of 0.25.

## 3. Industrial

**Industrial Services (IS)** The floor-area ratio (FAR) shall not exceed 0.35. Assumes buildout at an FAR of 0.25.

**Light Industrial (LI)** The floor-area ratio (FAR) shall not exceed 0.40. Assumes buildout at an FAR of 0.25. For undeveloped areas, assumes 15 percent reduction in gross developable acreage to account for streets and roads.

**Heavy Industrial (HI)** The floor-area ratio (FAR) shall not exceed 0.40. Assumes buildout at an FAR of 0.25. For undeveloped areas, assumes 15 percent reduction in gross developable acreage to account for streets and roads.

**Business Park (BP)** The floor-area ratio (FAR) shall not exceed 0.40. Assumes buildout at an FAR of 0.25. For undeveloped areas, assumes 15 percent reduction in gross developable acreage to account for streets and roads.

## 4. Reserve

**Industrial Reserve (IR)** No buildout potential within the time frame of the *General Plan* is assumed.

**Urban Reserve (UR)** No buildout potential within the time frame of the *General Plan* is assumed.

## 5. Other

**Public/Quasi-Public (PQP)** Assumes buildout per specific proposals where available.

**Recreation and Parks (RP)** Assumes buildout per specific proposals where available.

**Agriculture (AG)** Minimum parcel size is forty (40) acres and residential uses are limited to one (1) unit per parcel. Assumes no new residential development.

The *Land Use Diagram* is included as Figure II-1. A full size version of the *Land Use Diagram* is included in the *General Plan Policy Document*.

## C. PLANNING AREA

The Planning Area for the *General Plan* is depicted on the *Land Use Diagram* (Figure II-1). No land outside the Planning Area is designated for urban development within the time frame of the *General Plan*. Land designated as Urban Reserve and Industrial Reserve within the Planning Area is intended for development beyond the time frame of the *General Plan*.

For the purposes of preparing buildout calculations, the Planning Area was divided in 17 subareas which correspond to the neighborhood and specific plan areas identified in the *General Plan Policy Document*. These include the following areas: the existing developed part of the city west of Highway 33 intended primarily for infill development (Subarea O); the five neighborhood plan areas (Subareas N1 through N5); the three residential specific plan areas (Subarea S1 through S3); the industrial specific plan areas (I1 and I2); the Highway 33 corridor specific plan area (C1 and C2); the Downtown plan area (D) and the reserve areas (R1 through R3). Figure II-2 shows the boundaries of these subareas.

As provided for in the *General Plan Policy Document*, further detailed planning in these neighborhood plan and specific plan areas will be completed prior to their development. Specific plans will require detailed infrastructure and public facility planning. Residential specific plans will require general plan amendments to replace the Planned Mixed Residential designation with primary land use designations (i.e., Low Density Residential, Medium Density Residential, and High Density Residential).

Delineation of the neighborhood plan areas was based generally on the following criteria:

- Use of existing capacity for sewer, water, and storm drainage
- A variety of housing types and tenure, including lower income housing
- Completion of open space areas and recreation facilities for use by residents of the existing city and neighborhood plan areas; and
- Facilitation of the selection and acquisition of new school sites necessary to meet the needs of the existing city and neighborhood plan areas.

Neighborhood planning areas generally will not require the same level of infrastructure planning as specific plan areas, and will not require general plan amendments prior to development.

While the subareas shown in Figure II-2 generally correspond to the planning areas in the *General Plan Policy Document*, some modifications should be noted. Where planning areas overlapped in the *Policy Document*, for purposes of calculating buildout potential, the overlapping area was only analyzed in its primary area. In addition, the industrial specific plan areas and Highway 33 corridor plan area were both split into two areas for purposes of calculating buildout potential only. These divisions do not reflect any policy for city planning purposes.

#### D. SCHOOLS

No specific sites for future schools are shown on the *General Plan Land Use Diagram*. The Consultants assume, however, that expansion of the high school, two new junior high, and several new elementary schools will be needed. The number and approximate locations are discussed in Section G of Chapter V, Public Facilities and Services. For the purposes of buildout calculations, however, 12 percent of the land in each residential designation is deducted to account for public and quasi-public uses, including schools.

#### E. PARKS AND RECREATION FACILITIES

No specific sites for future parks are shown on the *General Plan Land Use Diagram*. The locations of future parks are yet to be determined. The *General Plan Policy Document* sets forth a standard of five acres of parkland per 1,000 residents (see section on Parks in Chapter VI, Recreational and Cultural Resources). Specific park sites will be identified in conjunction with the preparation and adoption of the specific plans required by the *General Plan* for most newly-developing areas. The number and generalized locations of park sites necessary to serve development under the *General Plan* are discussed in Chapter VI, Recreational and Cultural Resources, of this report. For the purposes of buildout calculations, however, 12 percent of the land in each residential designation is deducted to account for public and quasi-public uses, including parks.

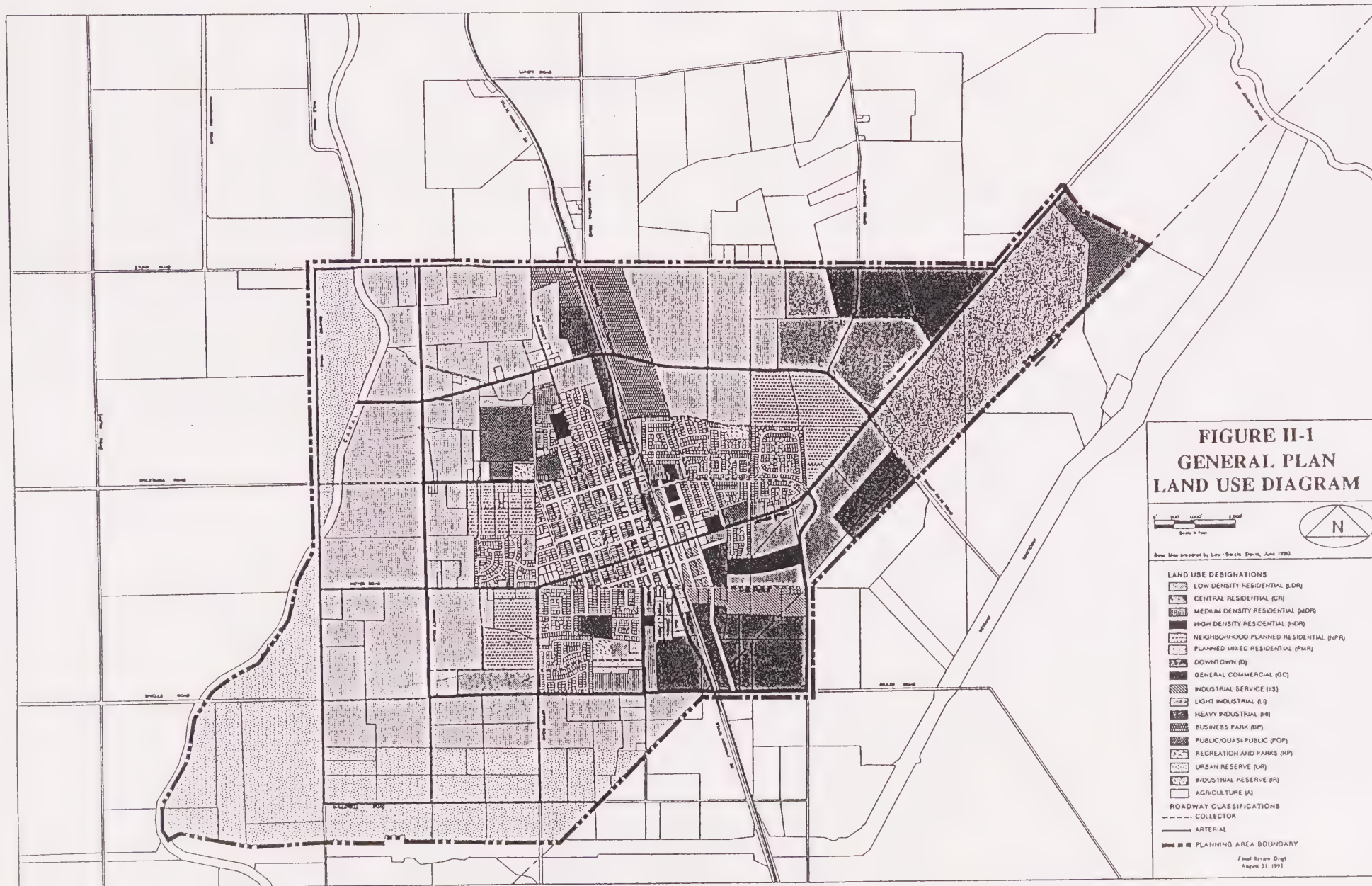
#### F. QUALIFICATIONS CONCERNING BUILDOUT CALCULATIONS

The following four sections quantify existing and new growth and development allowed under the *General Plan* in terms of the housing stock, population, commercial and industrial development, and employment. Projections of future growth and development are based on buildout calculations, which are in turn based on the application of the buildout assumptions (Section B of this chapter) to the land uses shown on the *General Plan Land Use Diagram*.

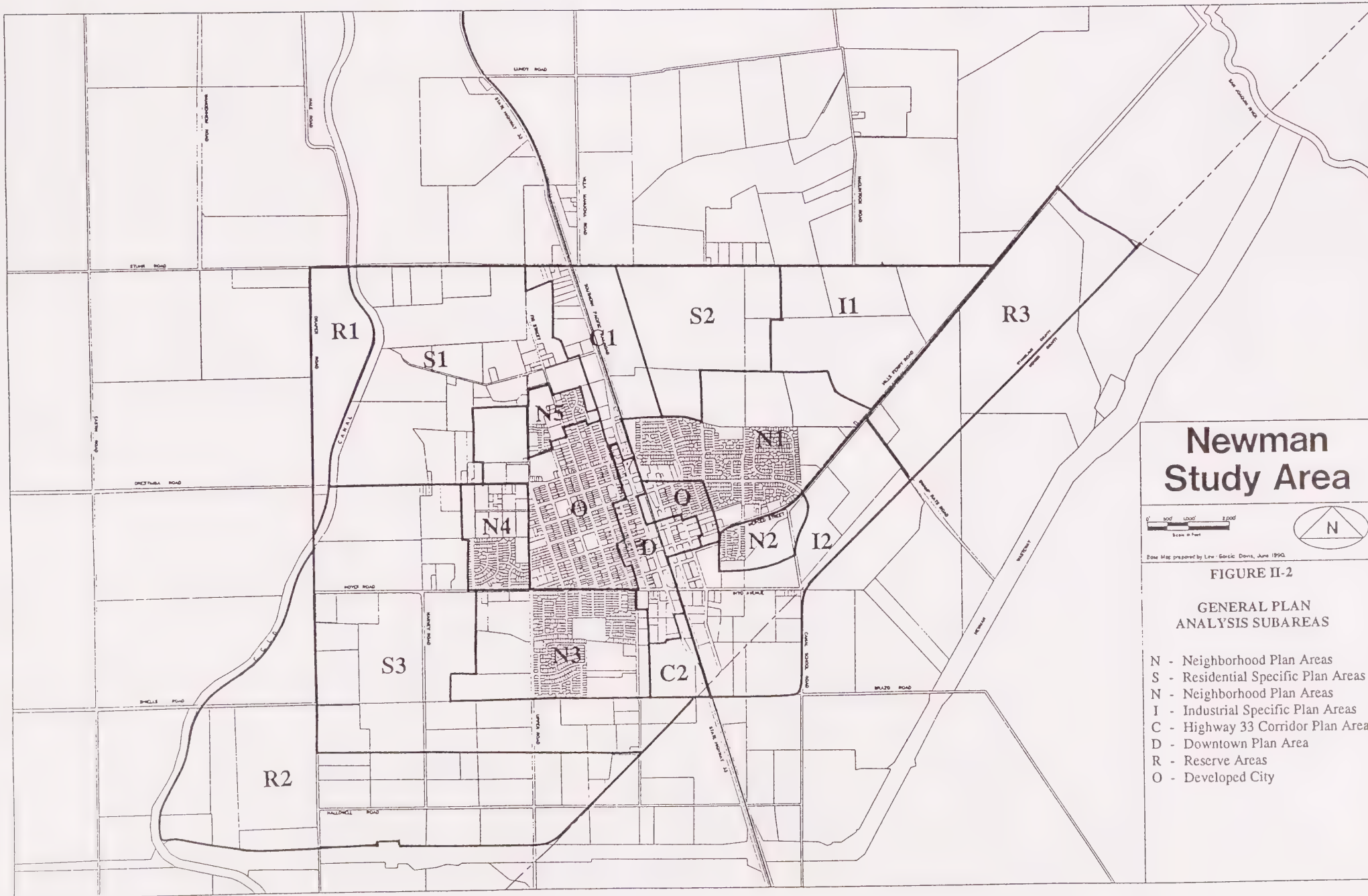
The buildout calculations presented in this chapter represent a "credible worst-case scenario" for buildout under the *General Plan*. On one hand, the buildout calculations are based on assumptions for residential intensities and floor-area ratios that are somewhat lower than the maximum intensities legally possible under the *General Plan*. On the other hand, the buildout calculations assume full buildout of virtually all lands at the assumed residential intensities and floor-area ratios. Ultimately, these two sets of assumptions are likely to offset each other, resulting in a "credible worst-case scenario."

The assumed residential intensities are generally 80 percent of the maximum intensities legally possible under the *General Plan*. The assumed floor-area ratios generally range from 50 percent to 80 percent of the maximum floor-area ratios legally possible under the *General Plan*. These assumptions are based on discussions with City staff, developers, and planners in other Northern California and Central Valley













communities concerning intensities typical of the type of development likely to occur in Newman under the *General Plan*. While, in any one instance, a development may exceed the intensity assumed in Section B of this chapter, the buildout calculations assume that development will "on average" occur at the assumed intensities.

The second major set of assumptions concerns the timing of full buildout. In the aggregate, the buildout calculations depict major growth potential for Newman in the residential, commercial, and industrial categories. Based on *General Plan* policy and general market conditions, it cannot be assumed that all of the non-reserve designations will actually develop during the time frame of the *General Plan* (1992 to 2010).

Using the combined assumptions of legal maximum intensities and full buildout within the time frame of the *General Plan* would likely result in an overstatement of "effective" development potential and, in turn, lead to such problems as oversizing infrastructure and underfunding infrastructure improvements.

## G. EXISTING AND PROJECTED HOUSING STOCK

This chapter relies on the 1990 U.S. Census and the Land Use Inventory conducted in June 1990 as the basis for estimates of existing housing stock totals and estimates of new housing unit potential at buildout of the non-reserve designations of the *General Plan Land Use Diagram*. Table II-1 shows these unit totals as they are distributed within the residential land use designations shown on the *Land Use Diagram*.

TABLE II-1

**BASELINE AND PROJECTED DWELLING UNITS**  
**Newman Planning Area**  
**1990 and Buildout of General Plan Land Use Diagram**

	LDR	CR	MDR	HDR	NPR	PMR	Other <sup>1</sup>	Total
Existing Units (1990)	748	556	49	156	26	65	108	1,708
New Units	1,089	62	235	294	1,336	6,075	42	9,133
Lost Units	--	--	--	--	--	--	-60	-60
<b>Total Units</b>	<b>1,837</b>	<b>618</b>	<b>284</b>	<b>450</b>	<b>1,362</b>	<b>6,140</b>	<b>90</b>	<b>10,781</b>

<sup>1</sup>Units in nonresidential land use designations. Lost units are those existing units likely to be removed through conversion to other land uses consistent with the new *General Plan* designations. New units are those assumed to be developed in the Downtown designation, in part to replace those displaced in that area for other uses.

## H. BASELINE AND PROJECTED POPULATION

To estimate baseline 1990 population in the Planning Area, the Consultants used 1990 Census estimates. Table II-2 shows the estimates of population within the Newman city limits according to the 1990 Census. To estimate existing population within the unincorporated portion of the Planning Area, the Consultants applied Census estimates of vacancy and household size for unincorporated Stanislaus County to the 188 dwelling units identified in the Land Use Inventory in the unincorporated Planning Area.

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**TABLE II-2**

**BASELINE (1990) POPULATION  
Newman Planning Area**

	<b>Dwelling Units</b>	<b>Vacancy Rate</b>	<b>Population per Household</b>	<b>Total Population</b>
1990 City Limits	1,520	11.6%	3.089	4,151
Unincorporated Planning Area	188	5.0%	2.909	520
<b>Total Planning Area</b>	<b>1,708</b>			<b>4,671</b>

---



To estimate population at buildout of the non-reserve land use designations, the Consultants first developed assumed population per dwelling unit factors for each residential land use designation used in the *General Plan* and then applied these factors to the new dwelling unit projections shown in Table II-1. The population per dwelling unit estimates were derived through extrapolation from 1990 Census and California Department of Finance population per household figures and reasonable assumptions concerning ratios between single and multi-family housing.

TABLE II-3

## POPULATION PER DWELLING UNIT ASSUMPTIONS

Dwelling Unit Type	Population Per Unit
Low Density Residential <sup>1</sup>	3.00
Central Residential <sup>2</sup>	3.00
Medium Density Residential <sup>3</sup>	2.75
High Density Residential <sup>4</sup>	2.50
Neighborhood Planned Residential <sup>5</sup>	2.75
Planned Mixed Residential <sup>6</sup>	2.75
Downtown <sup>7</sup>	2.75

<sup>1</sup>Assumes single family dwelling units

<sup>2</sup>Assumes combination of single family dwelling units, secondary units, and duplexes

<sup>3</sup>Assumes medium density single family attached and multi-family dwelling units

<sup>4</sup>Assumes high density multi-family dwelling units

<sup>5</sup>Assumes 65 percent single family dwelling units, 25 percent medium density multi-family dwelling units, 10 percent high density multi-family dwelling units

<sup>6</sup>Assumes 75 percent single family dwelling units, 15 percent medium density multi-family dwelling units, 10 percent high density multi-family dwelling units

<sup>7</sup>Assumes medium and high density multi-family dwelling units

Table II-4 shows the population holding capacities that result from applying the population per unit estimates in Table II-3 to potential new dwelling unit estimates shown in Table II-1. A housing stock occupancy rate of 95 percent (i.e., assuming a five percent vacancy rate) was assumed for all new dwelling units.

**TABLE II-4**  
**ESTIMATED POPULATION HOLDING CAPACITY**  
**Newman Planning Area**  
**1990 and Full Buildout of General Plan Land Use Diagram**

	<b>LDR</b>	<b>CR</b>	<b>MDR</b>	<b>HDR</b>	<b>NPR</b>	<b>PMR</b>	<b>Other</b>	<b>Total</b>
Pop in Existing Units <sup>1</sup>	2,043	1,518	134	426	71	180	295	4,666
Pop in New Units <sup>2</sup>	3,103	177	614	699	3,489	15,871	113	24,066
Displaced Population <sup>3</sup>	--	--	--	--	--	--	-164	-164
<b>Total Population</b>	<b>5,146</b>	<b>1,695</b>	<b>748</b>	<b>1,125</b>	<b>3,560</b>	<b>16,050</b>	<b>244</b>	<b>28,568</b>

<sup>1</sup> From Table II-1 and Table II-2; assumes 11.6% vacancy rate and population per household of 3.089 for all designations except PMR and part of LDR. All of PMR and part of LDR were assumed at 5% vacancy and 2.909 persons per household (Census estimates for unincorporated Stanislaus County). Numbers may differ slightly from Table II-2 due to independent rounding

<sup>2</sup> From Table II-1 and Table II-3, assumes a residential vacancy rate of 5 percent

<sup>3</sup> From Table II-1; assumes 11.6% vacancy rate and population per household of 3.089

## I. BASELINE AND PROJECTED COMMERCIAL AND INDUSTRIAL DEVELOPMENT

Estimates of baseline and projected commercial and industrial acreage have been made using information collected as part of the Land Use Inventory. Square footage development estimates for future commercially- and industrially-designated land have been developed by applying assumed floor-area ratios (FARs) to acreage totals for currently vacant and underdeveloped land. No estimates of square footage of existing development, however, have been made.

Table II-5 shows the vacant and underutilized acreage falling into each commercial and industrial land use designation on the *Land Use Diagram* and the estimated *new* square footage totals for development expected to occur on currently vacant land or underdeveloped land in each of these categories. For large undeveloped areas, the Consultants assumed a 15 percent reduction in gross developable acreage to account for streets and roads.

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**TABLE II-5**

**TOTAL VACANT/UNDERUTILIZED COMMERCIAL AND INDUSTRIAL ACREAGE  
AND NEW SQUARE FOOTAGE**

General Plan Designation	Acreage	New Square Footage
Downtown (D)		
Vacant/underutilized	27.8	1,211,000
Proposed shopping center	13.8	150,000
General Commercial (GC) <sup>1</sup>	56.3	521,000
Industrial Service (IS) <sup>1</sup>	26.0	241,000
Light Industrial (LI) <sup>1</sup>	236.1	2,185,000
Heavy Industrial (HI) <sup>1</sup>	238.3	2,206,000
Business Park (BP) <sup>1</sup>	81.6	755,000

<sup>1</sup>15 percent reduction applied to account for roads and streets

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Table II-5 shows the total vacant and underutilized commercial and industrial land within the Planning Area in non-reserve designations. It cannot be assumed, however, that all non-residential land will develop within the time frame of the *General Plan*. Since the market will ultimately determine the rate of absorption of non-residential uses, it should be noted that full buildout of commercial and industrial lands within the Planning Area may not occur by 2010.



## J. EMPLOYMENT GROWTH

By applying typical employee density assumptions to the square footage estimates shown in Table II-5 with an assumed 90 percent occupancy rate (based on discussions with commercial real estate agents), the Consultants have estimated the number of new industrial and commercial jobs that the land uses shown on the *General Plan Land Use Diagram* will generate. Table II-6 shows the estimated new jobs to be generated along with the square-feet-per-employee assumptions used for each employment-generating land use designation.

**TABLE II-6**  
**COMMERCIAL AND INDUSTRIAL EMPLOYMENT**

New General Plan Designation	Total New Square Footage	Square Feet Per Employee	New Employees <sup>1</sup>
Downtown (D)	1,361,000	500	2,450
General Commercial (GC)	521,000	500	938
Industrial Services (IS)	241,000	750	289
Light Industrial (LI)	2,185,000	750	2,623
Heavy Industrial (HI)	2,206,000	750	2,647
Business Park (BP)	755,000	500	1,360
Public/Quasi-Public (PQP) <sup>2</sup>	--	--	200
<b>Total</b>			<b>10,507</b>

<sup>1</sup>Assumes 10 percent building vacancy rate

<sup>2</sup>Estimate of new school district, City, and County employees in Newman in 2010

Again, it should be noted that although full buildout of non-residential land use designations is assumed for purposes of analysis, market forces will ultimately determine the rate of development of employment-generating uses in Newman, and the city may not reach the total number of new employees at full buildout shown in Table II-6 by the year 2010.

## CHAPTER III

### LAND USE, HOUSING, AND POPULATION

#### A. INTRODUCTION

This chapter outlines the implications of the *General Plan* for land use, housing, and population.

#### B. LAND USE

Existing land use conditions are described in Chapter I of the *General Plan Background Report* and development potential estimates for the *General Plan* are discussed in Chapter II of this *EIR*.

##### 1. Implications of the General Plan Land Use Diagram

###### 1976 General Plan and Existing Land Uses

According to Appendix I of the *State CEQA Guidelines*, the primary concern with respect to land use is whether or not a proposal will substantially alter the present or planned land use of an area. The *1992 General Plan* would make some minor changes in the pattern of existing land use. The *General Plan* would, however, provide for additional development and would differ from the current *General Plan* in several important respects.

The alterations in the existing patterns of land use would consist of changes in current uses and new development of currently undeveloped areas. Table III-1 summarizes the acreage within the various land use designations as depicted on the *Land Use Diagram*. Land uses in the *1976 General Plan* are discussed in Chapter I of the *General Plan Background Report*.

TABLE III-1

## TOTAL ACREAGE WITHIN 1992 GENERAL PLAN LAND USE DESIGNATIONS

	Designation	Acreage	Percentage of Total
<b>Residential</b>			
Low Density	LDR	385.4	8.9%
Central Residential	CR	114.2	2.6%
Medium Density	MDR	47.4	1.1%
High Density	HDR	34.1	0.8%
Neighborhood Planned Residential	NPR	246.9	5.7%
Planned Mixed Residential	PMR	1,438.2	33.1%
<b>Residential Total</b>		<b>2,266.2</b>	<b>52.1%</b>
<b>Commercial</b>			
General Commercial	GC	83.3	1.9%
Downtown	D	64.2	1.5%
<b>Commercial Total</b>		<b>147.5</b>	<b>3.4%</b>
<b>Industrial</b>			
Light Industrial	LI	236.1	5.4%
Industrial Services	IS	26.0	0.6%
Heavy Industrial	HI	304.5	7.0%
Business Professional	BP	99.1	2.3%
<b>Industrial Total</b>		<b>665.7</b>	<b>15.3%</b>
<b>Other</b>			
Public/Quasi-Public	PQP	112.7	2.6%
Recreation and Parks	RP	17.2	0.4%
<b>Other Total</b>		<b>129.9</b>	<b>3.0%</b>
<b>Reserve</b>			
Urban Reserve	UR	835.7	19.2%
Industrial Reserve	IR	303.5	7.0%
<b>Reserve Total</b>		<b>1,139.2</b>	<b>26.2%</b>
<b>GRAND TOTAL</b>		<b>4,348.5</b>	<b>100.0%</b>

Source: Mintier &amp; Associates, 1992

The *General Plan* would provide for urban development in currently-undeveloped areas within the city and provide for urban development of lands surrounding the city presently vacant or devoted to agricultural uses. The *1992 General Plan* would allow more urban development than that allowed in the *1976 General Plan*. The *1992 General Plan* would provide approximately 2,820 additional acres of non-reserve-designated land and about 1,140 acres of reserve-designated land, although it is assumed that not all the non-reserve designations and that none of the reserve designations would develop within the time



frame of the *General Plan*. The rate at which Newman's vacant land will be absorbed or converted to urban uses will be largely dictated by market conditions and the availability of public services and facilities as well as *General Plan* policy. Accordingly, it cannot be assumed that all of the land designated on the *Land Use Diagram* will develop within the time frame of the *General Plan*.

In addition to designating land for development beyond the boundaries of the 1976 *General Plan*, the 1992 *General Plan* also designates land in different proportions than the 1976 *General Plan*. The non-reserve designations of the 1992 *General Plan* provide for a similar proportion of commercial land use designation (4.4 percent versus 4.8 percent), but a higher proportion of industrial land uses (20.7 percent versus 14.9 percent), and a lower proportion of residential land use designations (70.6 percent versus 79.1 percent).

The following summarizes some of the most significant differences between land use designations in the 1992 *General Plan* and land use designations in the 1976 *General Plan*:

- The 1992 *General Plan* designates land outside of the existing downtown with a Downtown designation to provide for the expansion of the central commercial core as the city grows. The downtown expansion includes land to the north and south of the existing downtown and to the east across the railroad tracks along Merced Street. This includes land designated for heavy commercial, high density residential, and industrial uses under the 1976 *General Plan*.
- The 1992 *General Plan* includes some changes to the residential land use designations in the 1976 *General Plan*. Where the land uses are different, the 1992 *General Plan* generally designates residential land for higher densities. In addition to designating individual parcels of land to medium and high densities to allow for a greater mix of housing types and to facilitate the development of affordable housing, the core of the city is designated Central Residential, permitting up to 12 units per gross acre. This will allow the development of second units, duplexes, triplexes, and fourplexes where appropriate.
- In only two areas is land designated for high density residential development under the 1976 *General Plan* designated for other uses in the 1992 *General Plan*. Several blocks along the southern end of P Street and around City Park designated as High Density (12 or more units per acre) under the 1976 *General Plan* are designated as Central Residential in the 1992 *General Plan* to reflect the existing uses in the area. One half block along P Street designated for High Density Residential under the 1976 *General Plan* is designated as Downtown under the 1992 *General Plan* to allow for expansion of retail uses in the existing downtown.
- Currently undeveloped land south of Merced Street and west of Canal School Road designated for industrial development in the 1976 *General Plan* is designated for low density residential uses in the 1992 *General Plan* to provide for development compatible with residentially-designated land immediately to the west.
- Land south of Stuhr Road and east of Highway 33 currently designated for low density residential development in the 1976 *General Plan* and currently developed with agricultural uses, some homes, a hotel and some commercial uses are designated for Business Professional and General Commercial uses in the 1992 *General Plan*.
- The 1992 *General Plan* also designates land with existing or planned schools or parks as Public/Quasi-Public or Recreation and Parks designations to reflect their actual uses. Schools and some parks are designated Low Density Residential in the 1976 *General Plan*.

Existing land uses could be affected through replacement by other types of development and adjacent uses. The 1992 *General Plan* provides for some changes in existing land uses. Specifically, the 1992 *General Plan* designates parcels located along N Street/Highway 33 designated for heavy commercial uses in the 1976 *General Plan* with a Downtown designation. Some of these parcels are currently developed with industrial uses. The 1992 *General Plan* includes policies to assist in the relocation of these uses to industrially-designated areas as these uses are replaced by retail commercial uses better suited to their downtown location. Some existing homes would also be displaced by commercial development.

Existing homes on the periphery of the city will also be affected through the development of adjacent uses, roadways, and associated increases in traffic and other impacts as the city expands. Specific homes that might be affected have not been identified in this *EIR* since the exact alignment of roadways will be determined prior to their development when more precise development patterns are determined through the specific plan process.

From an environmental standpoint, the most critical land use changes would result from new development of currently undeveloped areas, particularly in areas currently used for agricultural production and in areas containing sensitive natural resources. These topics are addressed separately in Chapter VII, Natural Resources. Other impacts, including traffic and noise impacts are discussed in Chapter IV, Traffic and Circulation, and Chapter VIII, Health and Safety, respectively.

### **LAFCO Sphere of Influence**

Newman's existing sphere of influence as determined by the Stanislaus County Local Agency Formation Commission (LAFCO) is coterminous with the City's 1976 *General Plan* boundaries, with the exception of about 40 acres south of Stuhr Road. The city's existing sphere of influence is illustrated in the *General Plan Background Report* (Figure I-7). The 1992 *General Plan* designates an additional 2,100 acres outside the existing sphere of influence in non-reserve designations, and another 1,140 acres in reserve designations.

For development to proceed according to the revised Newman *General Plan*, the City would have to petition LAFCO for a change in its sphere of influence. The following LAFCO policies for review of proposals are included in LAFCO's *Policies and Procedures Manual*, August 1991, and are relevant to the Newman *General Plan*:

101. Encouraging orderly formation and development of agencies:
  - 01 The sphere of influence determined by the Commission shall take into account the provision of an adequate level and range of services to each community within the county.
  - 02 Any proposal for a change of organization or reorganization shall contain sufficient information to determine that adequate services, facilities, and improvements can be provided and financed by the agencies responsible for the provision of such services, facilities, and improvements.
  - 03 Any proposal for a change of organization or reorganization which will result in residential development shall address the impact on public school facilities and provide upon submittal of and application, sufficient information to determine that adequate services and facilities can be provided.



- 103 Encouraging orderly urban development and preservation of open space patterns:
- 01 The Commission encourages well planned, orderly, and compact urban development patterns for all developing areas. Also, the county, cities, and those districts providing urban services, are encouraged to develop and implement plans and policies which will provide for well-planned, orderly and compact urban development patterns, with consideration of preserving permanent open space lands within those urban patterns.
  - 02 Development of existing vacant non open space, and non-prime agricultural land within an agency's boundaries is encouraged prior to further annexation and development.
  - 03 Annexation proposals to cities or districts providing urban services of undeveloped or agricultural parcels shall show: that urban development is imminent for all or a substantial portion of the proposal area; that urban development will be contiguous with existing or proposed development; and that a planned, orderly, and compact urban development pattern will result. Proposals resulting in leap frog, non-contiguous urban development patterns shall be discouraged.
- 104 Encouraging conservation of prime agricultural lands and open space areas:
- 01 Proposals which would conflict with the goals of maintaining the physical and economic integrity of open space lands, agricultural lands, or agricultural preserve areas in open space uses, as indicated on the city or county general plan, shall be discouraged.
  - 02 Annexation and development of existing vacant non-open space lands, and non-prime agricultural land within an agency's sphere of influence should occur prior to development outside of an existing sphere of influence.
  - 03 Loss of agricultural lands should not be a primary issue for annexation where city and county general plans indicate urban development is appropriate and there is consistency with the agency's sphere of influence.

Subsequent chapters of this *EIR* provide information on the ability to adequately provide services, including school services. The *General Plan Land Use Diagram* does, however, provide for urban development on agricultural lands outside the city's existing sphere of influence.

### **Stanislaus County and Merced County General Plans**

Land use designations and pertinent policies in the *Stanislaus County General Plan* and *Merced County General Plan* are discussed in Chapter I of the *General Plan Background Report*.

The *Stanislaus County General Plan* designates all unincorporated land within Newman's existing sphere of influence as Urban Transition. The Urban Transition designation is intended to ensure that land remains in agricultural use until urban development consistent with a city's general plan designation is approved. The *County General Plan* designates the area southeast of the city within the *1976 General Plan* for industrial use. All remaining land outside the existing sphere of influence within the *1992 General Plan* is designated for agricultural uses.



Stanislaus County published a *Agricultural Element* to its *General Plan* in February 1990. The County revised the *Draft Agricultural Element* based on comments received on the first draft, and released the revised version in December 1991, and adopted the *Agricultural Element* in April 1992. The *Agricultural Element* is summarized in the *General Plan Background Report*. Relevant policies described under "Expansion of Cities and Unincorporated Communities" include the following:

- 2.8. The County recognizes the right of cities and unincorporated communities to grow and prosper and shall not oppose reasonable requests to expand spheres of influence of cities or community services districts and sanitary districts serving unincorporated communities to accommodate growth.
- 2.9. In recognition that unincorporated land within spheres of influence of cities or community services districts and sanitary districts serving unincorporated communities ultimately will be urbanized, the County shall cooperate with cities and unincorporated communities in managing development in urban transition areas.
- 2.10. The County shall continue to encourage the upgrading of existing unincorporated communities.
- 2.11. The County shall discourage the expansion of spheres of influence of cities or community services districts and sanitary districts serving unincorporated communities into its most productive agricultural areas.

The 1992 *General Plan* also shows the extensions of Brazo Road and Canal School Road as Newman city arterials and designates land for industrial uses south of the existing city limits in Merced County. Pertinent land use designations and policies of the *Merced County General Plan* are summarized in the *General Plan Background Report*. The *Merced County General Plan* designates land south of Newman for agricultural uses. The 1992 *General Plan* is therefore not consistent with the *Merced County General Plan*.

Since cities are not able to annex land in another county, industrial development in Merced County consistent with the 1992 *General Plan* would have to take place in one of two ways. First, development could take place under the jurisdiction of Merced County, but could be required to connect to the City of Newman's services. Second, development in this area could occur under the 1992 *General Plan* following adjustment of the county line in order to permit the City of Newman to annex land currently in Merced County. Under *Government Code* Section 23200, county boundary lines may be altered with the mutual agreement of both county boards of supervisors.

## 2. General Plan Policy Response

Among others, the following policies address the general land use implications of the *Land Use Diagram*:

- I.A.1. The City shall seek to preserve Newman's traditional small-town qualities (e.g., neighborhood scale, socially and economically integrated neighborhoods, single centralized downtown, relatively low traffic volumes, and strong community identity), while increasing its residential and employment base.

- I.A.2. The City shall link the rate of growth in Newman to the provision of adequate services and infrastructure, including schools. The City shall, through the *Citywide Services Master Plan*, ensure that growth occurs in an orderly fashion and in pace with the provision of public facilities and services.
- I.A.3. The City shall, through the use of specific plans and neighborhood plans, ensure that growth and development occur in an orderly and contiguous manner. Development shall be considered contiguous if it meets the following three criteria: 1) it is adjacent to any phase or tract of any incorporated or City-approved development (not including new public or quasi-public land uses); 2) all permanent services and facilities, including roads, sewer, water, storm drainage, and utilities have been extended for the area proposed to be developed, accepted by the City, and are available for use consistent with the *Citywide Services Master Plan*; and 3) no islands of unincorporated or undeveloped territory that the City has not approved for development are created.
- I.A.4. The City shall require preparation and approval of specific plans or neighborhood plans for newly developing areas on the periphery of the city prior to development of these areas (see Figure II-1). Specific plans and neighborhood plans shall comply with the specific plan guidelines and neighborhood plan guidelines contained in Appendix A of the *Policy Document*.
- I.A.5. As a long-term goal, the City shall promote the development of employment uses that improve the city's current jobs-housing imbalance.
- I.A.6. The City shall ensure that its designation of land uses and approval of development projects do not hinder efforts to maintain a positive fiscal balance for the City.
- I.A.7. New development in Newman shall emphasize pedestrian convenience and facilitate the use of non-automobile forms of transportation.
- I.A.8. The City shall promote development that maintains and reinforces the downtown as the geographic and economic center of Newman.
- I.A.9. Upon annexation to the city, land within the Planning Area shall be developed to urban standards. Pending annexation to the city, such land shall remain in agriculture, open space, or other low-intensity non-urban uses.
- I.A.10. The City shall investigate and pursue methods for development of areas south of the Stanislaus/Merced County line at the city's southern edge to create a more logical city form, including adjustment of the county line or coordinated development under Merced County's jurisdiction.
- VI.B.1. The City shall support the continuation of agricultural uses on lands designated for urban uses until urban development is imminent.
- VI.B.2. The City shall encourage the County to retain agricultural uses on lands surrounding Newman pending their annexation to the City.
- VI.B.3. The City shall minimize creation of urban land use patterns such as peninsulas that would adversely affect the viability of adjacent agricultural lands.



### 3. Impacts

The impacts of the *General Plan* on land use are deemed to be not significant for the purposes of CEQA. For CEQA purposes, most changes in land use do not in themselves result in direct *environmental* impacts. The environmental impacts occur primarily as the changes in land use affect valuable *environmental* resources, such as prime agricultural land or wildlife habitat. These secondary and tertiary impacts of land use changes are discussed in subsequent chapters of the *EIR*.

The *General Plan* represents the City of Newman's views for long-term growth beyond that envisioned 16 years ago in its 1976 *General Plan* and related sphere of influence. The *General Plan* includes policies consistent with LAFCO's policies for project proposals (e.g., encouraging the continuation of agricultural uses prior to annexation to the city, providing for contiguous development, and minimizing the creation of urban land use patterns which could negatively affect adjacent agricultural operations). The impacts on agricultural lands are discussed in Chapter VII, Natural Resources. The *General Plan* also includes policies to request LAFCO to revise Newman's sphere of influence to reflect the new *General Plan*, and to investigate possible adjustment of the county line. The land use impacts of the *General Plan*, are therefore deemed less-than-significant.

### 4. Mitigation Measures

To address the inconsistencies with the Stanislaus County and Merced County general plans, the *General Plan* could be revised to include an implementation program requesting both county boards of supervisors to amend the county general plans to be consistent with the *Newman General Plan*.

## C. HOUSING

The existing housing stock and housing-related issues are described in Chapter II of the *General Plan Background Report*, and the housing-related changes which would result from the *General Plan* are summarized in Chapter II of this *EIR*.

### 1. Implications of the General Plan Land Use Diagram

According to Appendix I of the *State CEQA Guidelines*, the most important housing-related considerations are whether a proposal will affect existing housing or create a demand for additional housing. As Tables II-1 and II-5 in Chapter II show, the *General Plan* would do both, designating land both for new residential development and for commercial and industrial development that will generate demand for housing. Displacement of existing housing is discussed in the previous section under land use.

The housing-related implications of the *General Plan* can be classified as either primary or secondary. Primary implications are those resulting directly from the construction of new housing, including the addition of more units to the city's total housing stock and the effect on the existing housing stock. Secondary implications are those indirectly resulting from construction of new units, such as increased traffic resulting from new residential development and increased demands on public facilities and services. These secondary implications of housing development are discussed in subsequent chapters of this *EIR*.



## 2. General Plan Policy Response

The *General Plan* includes policies designed to offset the negative housing-related implications of the *Land Use Diagram*. For instance, in addition to simply designating land for the future development of housing, the *General Plan* also includes goals, policies, and implementation programs that emphasize the preservation and rehabilitation of the existing housing stock, the assurance of high quality new housing, and the ongoing maintenance of programs designed to accommodate those with special housing needs. In addition, the *General Plan* calls for the development of more local employment to promote a reasonable citywide balance between new employment generating development and housing development.

Relevant housing-related policies in the *General Plan* include the following:

### New Housing Opportunities

- I.C.1. The City shall maintain an adequate supply of residential land in appropriate land use designations and zoning categories to accommodate Newman's fair share of projected regional growth, maintain normal vacancy rates, and minimize residential land costs. New residential projects must meet or exceed the minimum densities specified for the applicable land use designation.
- I.C.2. The City shall seek to maintain an overall mix of 75 percent single family and 25 percent multi-family units in its housing stock.
- I.C.3. The City shall provide for the development of affordable housing to meet the needs of low-and moderate-income households.
- I.C.4. Generally, higher density housing shall be located along collector and arterial streets and within easy walking distance of the downtown and neighborhood shopping centers.
- I.C.5. The City shall promote the preservation of the integrity and stability of existing residential neighborhoods.
- I.C.6. The City shall ensure that new residential development pays its fair share in financing public facilities and services.
- III.A.1. The City shall endeavor to maintain an adequate supply of residential land in appropriate land use designations and zoning categories to accommodate Newman's fair share of projected regional growth, maintain normal residential vacancy rates, and minimize residential land costs.
- III.A.2. The City shall seek to maintain an overall mix of 75 percent single family and 25 percent multi-family units in its housing stock.
- III.A.3. The City shall strive to provide for its fair share of the region's housing needs.
- III.A.4. The City shall require development of a mix of housing types throughout the city in order to increase residential choices and to promote social and economic integration.
- III.A.5. Housing affordable to low- and moderate-income families shall be dispersed throughout the community and incorporated into new development.

- III.A.6. The City shall encourage the construction of rental units with three or more bedrooms to accommodate larger households and reduce overcrowding.
- III.A.7. The City shall actively promote infill residential development where adequate public facilities and services are already in place.
- III.A.8. While promoting the provision of housing for all economic segments of the community, the City shall seek to ensure the highest quality in all new residential development.
- III.A.9. The City shall pursue all available state and federal funding assistance that is appropriate to Newman's needs to develop housing that is affordable to low- and moderate-income households. As appropriate, the City shall work with other local jurisdictions and agencies to form a consortium to take advantage of state and federal funding programs.
- III.A.10. The City shall consider use of Tax Exempt Mortgage Revenue Bonds, Mortgage Credit Certificates (MCCs) and support the use of other financing techniques such as FHA insurance for multifamily development, Low Income Tax Credits, State Rental Housing Construction Program (RHCP) financed by Propositions 77 and 84, and the Federal Home Loan Bank Affordable Housing Program.
- III.A.11. The City shall consider the use of in-lieu fees to be levied on new development to provide for the development of affordable housing.
- III.A.12. The City shall promote the expeditious processing and approval of residential projects that conform to *General Plan* policies and City regulatory requirements.
- III.A.13. Consistent with other City objectives, the City shall ensure that its policies, regulations, and procedures do not add unnecessarily to the costs of producing housing.
- III.A.14. The City shall provide for the development of secondary residential units, as required by state law, while protecting the single-family character of neighborhoods. Development of secondary residential units fronting on alleys shall be encouraged.
- III.A.15. In accordance with provisions of state law, the City shall grant density bonuses of at least twenty-five (25) percent and at least one other specified incentive for qualifying projects to promote the inclusion of low- and moderate-income and senior citizen housing.
- III.A.16. If below-market-rate units are included in a project pursuant to the density bonus program or other local, state, or federal requirements, the City shall require buyer/renter eligibility screening and resale/rent controls for at least 30 years to maintain affordability of the units to originally-targeted income groups.
- III.A.17. Where residential units which are required to sell or rent at below-market-rates are included within a housing development, such units shall be interspersed within the development, and to the extent reasonable, shall be visually indistinguishable from market-rate units.
- III.A.18. The City shall allow the installation of mobilehomes and factory-built housing on permanent foundations consistent with the requirements of state law and in accordance with the City's residential design standards.

- III.A.19. The City shall work with the Stanislaus County Housing Authority in the development and administration of affordable housing programs.
- III.A.20. The City shall promote homeownership in new housing constructed for low- and moderate-income households, where possible.
- III.A.21. The City may use Community Development Block Grant (CDBG) funds in conjunction with private financial institutions to write down interest rates for home purchase or rehabilitation.
- III.A.22. The City shall support the continued use of Section 8 rent certificates by Newman residents.
- III.A.23. The City shall promote the establishment of a new nonprofit housing developer or work with existing nonprofit developers to help develop affordable housing.
- III.A.24. The City shall work with the Stanislaus County Housing Authority, local nonprofit housing agencies, and the California Housing Partnership, in accordance with the Low Income Housing Preservation and Resident Homeownership Act of 1990, to preserve lower income housing units threatened with conversion to market-rate housing through prepayment of subsidized mortgages.

### **Preservation and Rehabilitation**

- III.B.1. The City shall promote private reinvestment in older residential neighborhoods and private rehabilitation of housing.
- III.B.2. The City shall pursue all available state and federal funding assistance that is appropriate to Newman's needs to rehabilitate housing. Housing rehabilitation efforts shall be given high priority in the use of CDBG funds.
- III.B.3. The City shall support the revitalization of older neighborhoods by keeping streets and other municipal systems in good repair.
- III.B.4. The City shall promote the continued upkeep of existing mobilehomes.
- III.B.5. The City shall require abatement of unsafe structures, giving property owners ample opportunities to correct deficiencies.
- III.B.6. Existing housing occupied by very-low- or low-income households shall not be demolished without assurance of the availability of suitable alternative housing.
- III.B.7. The City shall provide a process for the legalization of existing secondary residential units created without City approval.
- III.B.8. The City shall promote the preservation of architecturally- and historically-significant residential structures.

### **Services to Support Housing**

- III.D.1. The City shall work with the Newman-Crows Landing Unified School District to ensure the availability of adequate school facilities to meet the needs of projected households in Newman.



- III.D.2. The City shall support the use of CDBG funds for upgrading streets, sidewalks, and other public improvements.
- III.D.3. The City shall ensure that new residential development pays its fair share in financing public facilities and services.
- III.D.4. Through the *Citywide Services Master Plan*, the City shall strive to ensure that necessary public facilities and services are available prior to occupancy of residential projects.

### Equal Housing Opportunity

- III.E.1. The City shall give special attention in housing programs to the needs of special groups, including the physically and mentally disabled, large families, farmworkers, the elderly, and families with lower incomes.
- III.E.2. The City shall make available to the public information on the enforcement activities of the State Fair Employment and Housing Commission.
- III.E.3. The City shall work with the County and surrounding jurisdictions to address the needs of the homeless on a regional basis.
- III.E.4. The City shall cooperate with community-based organizations which provide services or information regarding the availability of services to the homeless.

These policies are supported by numerous implementation programs.

The quantified housing objectives in the Implementation Programs section of the *General Plan Policy Document* project development of 1,305 units during the six-year time frame of the Housing Element (June 30, 1991 to July 1, 1997). This exceeds the total new construction need projection for the same period of 1,301 units, which is based on the regional fair share determination for Newman adopted by the Stanislaus Area Association of Governments. The quantified objectives do not, however, meet the projected fair share need by income category for very-low-income households and low-income households.

Existing homes which could be displaced through development under the *General Plan* are located within the city's proposed redevelopment area. Under State Redevelopment Law, a redevelopment agency must provide relocation assistance and payments as specified under the *California Government Code* Sections 7260, *et seq.* The relocation assistance provisions of the *Government Code* require redevelopment agencies to "adopt rules and regulations to implement [relocation] payments and to administer relocation assistance."

### 3. Impacts

The primary effects of the *General Plan* on housing will be substantial in terms of increasing the total housing stock and in changing the composition of the housing stock, but, these impacts are deemed to be not significant for the purposes of CEQA. For CEQA purposes, most changes in land use and in the existing housing stock do not in themselves result in direct *environmental* impacts. The environmental impacts occur primarily as the changes in land use and the housing stock affect valuable *environmental* resources, such as prime agricultural land, wildlife habitat, and historically or architecturally significant

resources, and public services. The secondary and tertiary impacts of land use changes and residential development are discussed in subsequent chapters of the *EIR*.

Possible displacement of existing homes through development under the *General Plan* should be addressed through redevelopment responsibilities. Displacement is thus considered a less-than-significant impact.

#### **4. Mitigation Measures**

The possible displacement of existing homes is considered a less-than-significant impact since the redevelopment agency will be required to provide relocation assistance. Nonetheless, the *General Plan* could be revised to include policy language to reaffirm the City's commitment to providing relocation assistance to existing households displaced through development under the *General Plan*.

### **D. POPULATION**

Existing population characteristics and population projections are discussed in Chapter III of the *General Plan Background Report*, and the population changes which will result from the *General Plan* are summarized in Chapter II of this *EIR*.

#### **1. Implications of the General Plan Land Use Diagram**

According to Appendix I of the *State CEQA Guidelines*, the most important question concerning population is whether a project will alter the location, distribution, density, or growth rate of the human population of an area. As Table II-3 in Chapter II shows, the *General Plan* will significantly increase the population of Newman, and in the process shift the distribution of the population from the existing city to outlying areas.

The vast majority of the new housing development, and therefore population growth, will occur in the areas surrounding the existing city limits. This represents a shift in the distribution of the city's population.

Table II-4 summarizes the population potential at full buildout of the *General Plan*, based on assumptions listed in Chapter II. According to these estimates, the *Land Use Diagram* will support a total population of about 28,500 residents, including approximately 24,000 new residents.

Population growth in Newman will be determined by market conditions and by the ability to finance and expand infrastructure to support new residential growth consistent with the *General Plan*.

#### **2. General Plan Policy Response**

The following policy addresses the general population-related implications of the *Land Use Diagram*.

- I.A.2. The City shall link the rate of growth in Newman to the provision of adequate services and infrastructure, including schools. The City shall, through the *Citywide Services Master Plan*, ensure that growth occurs in an orderly fashion and in pace with the provision of public facilities and services.

### 3. Impacts

The effects of the *General Plan* on population will be substantial. These impacts are, however, deemed to be not significant for the purposes of CEQA. For CEQA purposes, population growth does not in itself result in direct *environmental* impacts. The environmental impacts occur primarily as changes in land use affect valuable *environmental* resources, such as prime agricultural land or wildlife habitat. The secondary and tertiary impacts of population growth are discussed in subsequent chapters of the *EIR*.

### 4. Mitigation Measures

None required.



## CHAPTER IV

### TRANSPORTATION AND CIRCULATION

#### A. INTRODUCTION

This chapter assesses the impacts of the *General Plan* on the Newman area transportation and circulation system, with its primary emphasis on the Newman street system at buildout of the *General Plan*. Existing transportation and circulation conditions are described in Chapter IV of the *General Plan Background Report*.

#### B. STREETS AND ROADS

The overall pattern of the circulation system was designed to respond to two specific directions given to the Consultants by the Newman City Council in response to the *Issues and Options Report*:

- Develop a circulation system to bypass traffic from new development to and around existing downtown streets.
- Concentrate future commercial and office development in central areas of the city.

From a circulation standpoint, these two objectives can be met by creating two major types of circulation facilities:

- Arterial streets to carry traffic around the downtown area.
- A strong system of arterial streets leading to the downtown area.

The main framework of the circulation system are **arterial** streets. **Arterial** streets are placed at intervals of approximately one-half to one mile, and serve as the major facilities carrying people between their homes and the central area and to other Newman destinations. The major arterial street which extends Jensen Road west to the CCID Canal and east to Hills Ferry Road is designed for a three-lane in each direction cross-section, plus left-turn lanes as needed. This ultimate width would allow the roadway to be used in a number of ways over the years as the city develops. In the early years, when only one lane in each direction is needed, it may be possible to use the extra width for non-automotive features such as bicycle paths, jogging trails, horse trails, or other linear recreational activities. The *General Plan Policy Document* shows a Class I bike lane along this roadway. As travel demands increase over time, it is envisioned that this arterial would be widened to four lanes, and ultimately to six lanes in its northern section.

Other than this roadway, the proposed cross-section for arterial streets provides for two lanes in each direction with a continuous median; the median could serve as a continuous left-turn lane, or it could be landscaped with left turns limited to crossing arterial and collector streets. The proposed cross-section for the arterial streets includes a wide parking lane which could ultimately be used as a peak hour travel lane, should the need arise.

Also built into the circulation system is a system of **collector** streets, usually spaced alternately with the arterials so that either an arterial or collector street occurs at approximately half mile intervals. Collector

streets serve a triple function of providing access to adjacent land uses, connecting to local streets, and carrying traffic to arterial streets. The proposed cross-section for a collector street provides for one lane of traffic in each direction plus a parking lane.

All streets that have not been designated as arterial or collector are by definition **local** streets. The principal function of the local streets is to provide access to adjoining parcels. Most pedestrian activity can also be expected to occur along the local streets. The presence of sidewalks on these streets, together with ensured connectivity with the collector and arterial street system, should contribute to the goal of pedestrian orientation.

Cross-sections have been proposed for arterial and collector streets that will be constructed in currently undeveloped areas; these are included in Part I of the *Policy Document*. In addition to the basic cross-section width, the plan proposes additional width at key intersections.

## 1. Implications of the General Plan Land Use and Circulation Plan Diagrams

To assess the potential impacts of the proposed land use pattern on the circulation system, the Consultants prepared a computerized travel demand forecasting model. The model estimates average daily travel demand on arterials and collector streets within the Planning Area, using the assumptions from the buildout calculations as input. The model estimates the trip generation levels, estimates distribution of trips within the Planning Area and the entry/exit points at the Planning Area boundaries, and estimates the assignment of trips to individual routes between the origins and destinations of all trips.

### Model Assumptions

The model prepared for this analysis, while using all of the formal structure of a complete and traditional travel demand model, is best described as a "sketch-planning" model. A number of assumptions and simplifications have been made that are in keeping with the generalized nature of the land use diagram. Particularly in those parts of the Planning Area designated Planned Mixed Residential, as well as in the commercial and industrial areas, there is a significant range in intensity of usage that will occur as land is developed. This range in intensity may have significant implications for the level of traffic that is projected in various parts of the Planning Area. Thus, the modelling prepared for this *EIR* is intended to provide a general overview of the impacts and to identify locations where specific attention may be needed as the specific plans required by *General Plan* policy are prepared. It is expected that more refined traffic analysis will be performed in conjunction with all major land use development projects in the city.

There are four major components to this model:

- A Computerized Representation of the Proposed Circulation System. For each street segment, the computer representation includes estimates of distance, speed limit, the segment classification (i.e., arteria, or collector) and number of lanes.
- A Zone System. In this model, the Planning Area has been divided into 55 zones. The buildout calculations have been disaggregated with estimates of the amount of land use that will be developed in each zone. The 55 zones are in fact a disaggregation of 17 subareas created for the buildout land use calculations. One of the simplifications in the model is that the disaggregation from 17 subareas to 55 zones has been done on the basis of inspection rather than precise calculation. Thus as specific plans are developed, it can be expected that the zone-to-zone land use values in the specific plan will vary from the estimates developed in the general plan model.



- Trip Generation Rates. Trip generation rates have been taken from other models and applied to the land uses in Newman. The major source for these rates was the travel demand model prepared for the Merced County Association of Governments; the model covers the entire county as well as Newman and other portions of southern Stanislaus County. The Merced County model has a set of trip generation rates used specifically for urban areas. They have been adapted to the more detailed land use designations used in Newman's *General Plan*, and are documented in Table IV-1.
- Other Modeling Parameters. Other modeling parameters, such as the friction factors that affect trip distribution, the estimates of capacity per link on the street system, and the methodology of assigning trips to the network have also been derived from the Merced County model.

## Model Functions

There are three major functions performed by the model when it is run: trip generation, trip distribution, and trip assignment. Trip generation involves estimating the daily traffic generation for each zone in the network. This is done by applying trip generation equations to the land uses assumed to be located in each zone. The equations were derived by the Consultants from the Merced County model and adapted to the types of land uses contained in the *General Plan*. The rates were originally derived from sources such as the ITE trip generation manual and then adjusted during the calibration phase of the Merced County model development activity.

The travel model contains three trip purposes: home-based work trips, home-based other trips, and non-home-based trips. Typically, the segregation into these trip purposes produces a better estimate of spatial travel demand than would a single purpose. Table IV-1 shows the trip generation rates used in the Newman model.

In addition to trip generation rates, Table IV-1 indicates the percentage of trips that are estimated to be oriented to destinations outside Newman. It is assumed that, as is the case today, Newman will continue to export workers. Specifically, it is assumed that approximately 20 percent of the workers living in Newman will work outside the Planning Area, and that only 5 percent of the jobs in Newman will be filled by workers outside the Planning Area.

It is also assumed that a relatively low percentage of trips for other purposes will be oriented outside of Newman. This is a major change from the current situation. It is anticipated that at buildout of the *General Plan*, Newman will function as a much more balanced city than it is today, with a greater variety of goods and services available within the city, thus less need to travel to Turlock, Modesto and Merced for these purposes. The *Land Use Diagram* provides for significant amount of commercial and industrial development which, if realized, should alter the current pattern of residents using Newman as a bedroom community for jobs in the Bay Area. The travel forecasting model reflects this assumed shift in future travel patterns.

Trip distribution involves an iterative process of estimating the destination of trips produced in each zone. The procedure estimates how many of the trips generated by a given zone (or cordon station) will travel to each other zone in the model. The distribution of trips from a given zone to other zones is directly proportional to the number of trips generated by the other zones and inversely proportional to the distance from the given zone to all other zones. This is called the gravity distribution model, because the model formulation is similar to the mathematical formula for gravitational forces between two bodies. This distribution process is repeated three times to produce good overall estimates of the number of trips entering and leaving each zone.



There are also trips in the system that do not interact with the land uses within the Planning Area. These include of through trips ("external-to-external trips"), which enter the Planning Area at one boundary and leave the system at another boundary. These trips are not part of the gravity distribution process, but are estimated separately and added to the results of the gravity process. For Newman, through trips have been included only on Highway 33.

Trip assignment is the process by which the generated trips are assigned to the various roadway links in the model. The model finds the shortest travel time path between origin and destination for each trip and then adds the trip to each link along that route. Multiple iterations are used to take into account the amount of congestion estimated to exist on the various roadway segments. This is typically referred to as a capacity restraint assignment process. When congestion becomes significant along a given route, the model looks for any alternative routes that will provide shorter travel times due to less congestion, and assigns trips to those routes instead.

TABLE IV-1

## TRIP GENERATION RATES FOR NEWMAN MINUTP MODEL

Residential Land Uses	Purpose			% External			Total Trips/ Dwelling Unit	Total Dwelling Units	
	Home-Based Work	Home-Based Other	Non-Home- Based	Home-Based Work	Home-Based Other	Non-Home- Based			
Developed Residential	2.16	3.84	2.40	0.20	0.10	0.10	8.40	1,690	
Low Density Residential	2.16	3.84	2.40	0.20	0.10	0.10	8.40	1,089	
Central Residential	1.68	3.12	2.04	0.20	0.10	0.10	6.84	62	
Medium Density Residential	1.68	3.12	2.04	0.20	0.10	0.10	6.84	235	
High Density Residential	1.56	2.64	1.20	0.20	0.10	0.10	5.40	296	
Neighborhood Planned Res.	1.68	3.12	2.04	0.20	0.10	0.10	6.84	1,298	
Planned Mixed Residential	2.04	3.60	2.16	0.20	0.10	0.10	7.80	6,102	
Total								10,772	
Non-Residential Land Uses				% External			Total Trips/ Unit	Units	Unit Type
	Home-Based Other	Non-Home- Based	Home-Based Work	Home-Based Other	Non-Home- Based				
Developed Commercial/Office	4.20	13.20	6.00	0.05	0.08	0.08	23.40	459.0	KSF
General Commercial	3.60	10.80	6.00	0.05	0.08	0.08	20.40	459.0	KSF
Downtown	4.32	13.20	6.00	0.05	0.08	0.08	23.52	1,361.0	KSF
Developed Industrial	1.20	2.40	6.00	0.05	0.08	0.08	4.80	756.4	KSF
Light Industrial	1.20	1.20	3.00	0.05	0.08	0.08	3.60	2,185.0	KSF
Service Industrial	1.32	3.00	1.80	0.05	0.08	0.08	6.00	241.0	KSF
Heavy Industrial	1.20	0.60	1.20	0.05	0.08	0.08	3.12	2,224.0	KSF
Business Park	3.36	1.80	3.00	0.05	0.08	0.08	8.16	755.0	KSF
Public/Quasi-Public	0.60	1.80	0.60	0.00	0.08	0.08	3.00	112.7	Acres
Parks & Recreation	0.00	1.80	1.20	0.00	0.08	0.08	3.00	28.8	Acres

Source: Dowling Associates, August 1992

The product of this three-stage modeling process is an estimate of the daily traffic volume on each street segment in the network together with an estimate of the probable level of congestion.

### **Model Calibration**

Traditionally, travel models of this type are "calibrated." That is, an estimation process is undertaken using the modelling framework described above which attempts to make the model replicate existing travel volumes on existing streets. This type of calibration process was not undertaken for the Newman model because the projected buildout population is approximately five times as large as the existing population. For a change of this relative magnitude, there is no particular assurance that the future population will be well represented as a sample by the existing population. Therefore, rather than calibrate the model, the Consultants applied modelling parameters that have been calibrated for other models to Newman.

### **Future Traffic Conditions**

The travel model has been applied by creating a representation of the proposed circulation system for Newman and analyzing the proposed land uses. The network assumes buildout of the circulation system as described in the *General Plan*. In the review of the *Draft General Plan*, the *Draft EIR* also analyzed two models of the proposed circulation system that included a circular parkway. Analyses were made of this roadway with four lanes and with six lanes. This circulation plan was modified in the final *General Plan* and therefore this analysis is not included in the *Final EIR*.

The land use assumptions were taken from the district aggregations shown in Table IV-2 and then disaggregated to the 55-zone system. Figure IV-1 provides estimates of average daily traffic (ADT) on the principal travel arteries at buildout. Figure IV-2 provides estimates of the corresponding volume/capacity ratios. Volume/capacity ratio can be translated into levels of service (LOS) using the service level definitions shown in Table IV-3.





**FIGURE IV-1**  
**Projected Daily Traffic Volumes**  
**for Buildout of General Plan**





**Figure IV-2**  
**Projected Volume/Capacity Ratio (x100)**  
**for Buildout of General Plan**





**TABLE IV-3**  
**LEVEL OF SERVICE INTERPRETATION**

Level of Service	V/C Ratio	Description
A	0.00 - 0.59	<b>Free Flow/Insignificant Delays:</b> No approach phase is fully utilized by traffic and no vehicle waits longer than one red indication.
B	0.60 - 0.69	<b>Stable Operation/Minimal Delays:</b> An occasional approach phase is fully utilized. Many drivers begin to feel somewhat restricted within platoons of vehicles.
C	0.70 - 0.79	<b>Stable Operation/Acceptable Delays:</b> Major approach phases fully utilized. Most drivers feel somewhat restricted.
D	0.80 - 0.89	<b>Approaching Unstable/Tolerable Delays:</b> Drivers may have to wait through more than one red signal indication. Queues may develop but dissipate rapidly, without excessive delays.
E	0.90 - 0.99	<b>Unstable Operation/Significant Delays:</b> Volumes at or near capacity. Vehicles may wait through several signal cycles. Long queues form upstream from intersection.
F	N/A	<b>Forced Flow/Excessive Delays:</b> Represents jammed conditions. Intersection operates below capacity with low volumes. Queues may block upstream intersections.

Source: *Highway Capacity Manual*, Transportation Research Board, Special Report No. 209, Washington D.C., 1985.

## 2. General Plan Policy Response

In addition to the *Circulation Plan Diagram*, the *General Plan Policy Document* includes the following policies to address traffic concerns:

- II.A.1. The City shall endeavor to maintain a Level of Service "C", as defined by the *1985 Highway Capacity Manual* or subsequent revisions, on all streets and signalized intersections within the city. To identify the potential impacts of new development on traffic service levels, the City shall require the preparation of traffic impact analyses at the sole expense of the developer for developments determined to be large enough to have potentially significant traffic impacts. All development proposals shall be reviewed to assure consistency with the circulation policies and standards contained in the *General Plan*.
- II.A.2. Streets shall be dedicated, widened, extended, and constructed according to City standards specified in Part I of this *Policy Document*. Dedication and improvements of full rights-of-way shall not be required in existing developed areas where the City determines that such improvements are either infeasible or undesirable. The City may allow other deviations if the City Engineer determines that safe and adequate public access and circulation are preserved by such deviations.
- II.A.3. The City shall encourage the development of grid street patterns in newly developing areas. Development of paved alleys may be allowed in conjunction with grid street patterns.

- II.A.4. The City shall provide for the phased development of an arterial grid street system to facilitate travel around the existing developed portion of the city and ensure access to new areas of the city as it expands. The arterial street system shall be constructed with sufficient lanes to satisfy traffic volumes through 2010, although right-of-way may be reserved for traffic volumes beyond 2010. Arterial streets may be widened subsequently (after 2010) to respond to increased traffic volumes. The major arterial street consisting of Jensen Road and its connection from Harvey Road to Hills Ferry Road shall be designed for an ultimate six-lane right-of-way. Before all lanes are needed to serve automobile traffic, the unused portion of the right-of-way may be used for bicycle paths, equestrian trails, or other recreational uses as appropriate.
- II.A.5. The City shall cooperate with the County and Caltrans in monitoring traffic volumes on Highway 33 and at the Stuhr Road interchange at Interstate 5 and shall support appropriate actions and improvements to maintain adequate levels of service on Highway 33 to the extent feasible and adequate levels of service at the Stuhr Road/I-5 interchange.
- II.A.6. The City shall provide for the southern extension of "O" Street south of Inyo Avenue into the proposed shopping center site (see Figure II-2 of the *Policy Document*).
- II.A.7. On-street truck parking shall be prohibited in residential areas and where such parking restricts adequate sight distances or otherwise poses a potentially hazardous situation.
- II.A.8. The City shall designate appropriate truck routes. Industrial and commercial development shall be planned so that truck access through residential areas is minimized.
- II.A.9. The City shall ensure through a combination of traffic impact fees and other funding mechanisms that new development pays its share of the costs of circulation improvements. The total cost of required improvements shall be paid for by new development.
- II.A.10. The City shall prohibit development of private streets in new residential projects, except in extraordinary circumstances. In such cases, the private streets shall be developed to City street standards.

### 3. Impacts

Figures IV-1 and IV-2 show that, for the most part, the conceptual design for Newman's *Circulation Plan Diagram* will work quite well. One roadway segment will experience traffic levels of service worse than LOS C. Highway 33 will become a major access point to the downtown area, where most of the city's future commercial activity will occur. The model suggests that this segment may approach the effective capacity of a four-lane roadway as the city approaches buildout of the *General Plan*. Highway 33 is limited in this area in terms of available right-of-way, and it is unlikely that a street wider than four lanes (or possibly five lanes including a turn median) can be constructed. It will be important to monitor this situation as the city develops, and it may become necessary to designate streets such as M and P Streets as local bypasses or access points to the downtown area.

With regard to the major arterial consisting of Jensen Road and its extensions to the CCID Canal and Hills Ferry Road, the forecasting model indicates that this roadway would experience significant problems if the road is developed with only two lanes, and would in fact experience traffic volumes significantly in excess of capacity. By buildout of the *General Plan*, four lanes (two through lanes in each direction) clearly will be required on this roadway. Volumes on the major arterial for 1.5 miles on either side of



Highway 33 will be approaching the level where three lanes in each direction may become necessary. Three lanes each way along this section are not expected to be needed within the time frame of the *General Plan*, but could be needed shortly thereafter.

The model also indicates that arterial streets on the periphery of the Planning Area will not require widening to four lanes at buildout of the *Land Use Diagram*. Arterials for which two lanes are expected to be sufficient include Stuhr Road and Draper Road in their entirety, and Hills Ferry Road northeast of the Canal School Road. It would be prudent to designate sufficient right-of-way for a four-lane roadway for future growth of the city and region; further, more detailed studies of specific traffic impacts should be performed as specific plans are proposed.

Policy II.A.1 establishes Level of Service C as the *General Plan* standard, therefore, the impacts on streets and roads resulting from buildout of the *General Plan* are deemed to be less-than-significant, with the exception of Highway 33 between Yolo Street and Inyo Avenue. This is considered to be a significant adverse impact.

#### 4. Mitigation Measures

The right-of-way along Highway 33 is limited. Therefore it is probably not feasible to widen this roadway to improve the traffic to a Level of Service C.

#### Regional Plan Consistency

The Stanislaus County Association of Governments (SAAG) recently completed a countywide expressway study. This study recommends a comprehensive system of expressways, which it defines as "arterial highways with at least partial control of access, which may or may not be divided or have grade separations."

The SAAG study identified Stuhr Road as a possible candidate for inclusion as an expressway; the road is not, however, included in the first phase of implementation and is in fact one of the lowest in priority in the county. The *General Plan* is consistent with the SAAG plan in providing sufficient right-of-way for a four lane arterial that would be consistent with expressway requirements. The results of the traffic model used for this *EIR* confirm the findings of the SAAG study indicating a very low demand for upgrading Stuhr Road in the foreseeable future.

Merced County staff has indicated that there are no significant planned or programmed roadway improvements in the vicinity of Newman or Gustine that would affect or be affected by improvements proposed by the *General Plan*. The Merced County travel forecast model for the year 2010 also reflects sufficient capacity to accommodate any added growth in Newman.

The *General Plan* could also have impacts on Highways 33 and 140 and I-5. The traffic model estimates that volumes on Highway 33 may increase from the present volume of approximately 4,000 ADT north of Stuhr Road to approximately 9,000 ADT. South of the city, the volumes may increase from the present 7,000 ADT to 11,000 ADT. No improvements will be needed to the highway outside of the Planning Area if these volumes are reached. Within Newman, Figure IV-1 indicates that volumes will exceed 20,000 ADT in the downtown area, and that two lanes in each direction will be needed.

No specific analysis has been made of Highway 140. However, since the volume on Highway 33 south of the city is estimated to increase by only 4,000 vehicles per day, it is anticipated that the impact on Highway 140 would be negligible.

The model forecasts that Stuhr Road west of Newman would carry approximately 6,000 cars per day. All of this traffic would be oriented toward the I-5 interchange. Assuming a 10 percent peak hour and a 70/30 split, it can be estimated that the I-5 ramps would serve a peak direction movement of approximately 350 vehicles per hour. This volume is well within the capacity of the existing I-5/Stuhr Road interchange.

## C. OTHER TRANSPORTATION FACILITIES AND SERVICES

In addition to streets and roads, several other transportation facilities and services will be affected by the *General Plan*, most importantly public transportation. These basic services are addressed in Chapter V of the *General Plan Background Report*.

### 1. Implications of the General Plan Land Use Diagram

#### Public Transportation

The only public transportation is currently available in Newman is West Side Dial-a-Ride, a County-operated van service that offers service Monday through Friday from Newman to other communities in western Stanislaus County and service to Modesto on Thursdays. Because development under the *General Plan* Land Use Diagram would result in significant population and job growth within Newman, the demand for all types of transportation facilities, including public transportation, would increase.

### 2. General Plan Policy Response

#### Public Transportation

Several specific policies included in the *General Plan* address the need for public transportation to respond to new growth. These include the following:

- II.B.1. The City shall work with the Stanislaus County Transit Authority and West Side Dial-a-Ride to maintain and expand van and bus service to Newman.
- II.B.2. The City shall periodically evaluate the need for the establishment of private taxi service in Newman and shall encourage such establishment when sufficient demand exists.
- II.B.3. The City shall cooperate with Stanislaus County and other transportation agencies in exploring the long-term possibility of developing commuter rail service on the West Side.

#### Pedestrian and Bicycle Travel

- II.G.1. The City shall create and maintain a safe and convenient system of pedestrian and bicycle facilities that encourages walking or bicycling as an alternative to driving. These routes should directly link residential neighborhoods, parks, schools, downtown, neighborhood shopping centers, and employment centers. New development shall be required to develop and/or contribute to the development of these facilities.

- II.G.2. The City shall require installation of sidewalks along all city streets in newly developing areas. The City shall work with property owners to complete the sidewalk system in existing developed areas.
- II.G.3. Bicycle routes shall emphasize paths separated from vehicle traffic to the maximum extent possible, but shall also include bicycle lanes within public streets. To the extent possible, bicycle lanes shall be located on collector and local streets, although they may be permitted on major arterial streets on an interim basis (see Figure II-4).
- II.G.4. The City shall require inclusion of bicycle parking facilities at all new major public facilities and commercial and employment sites.
- II.G.5. Bicycle safety shall be considered when implementing improvements for automobile traffic operations.
- II.G.6. The City shall work with Stanislaus County, Merced County, the cities of Patterson, Crows Landing, Gustine, and other West Side communities in an effort to develop a regional bike path along the railroad right-of-way linking Newman with other West Side communities.

### **3. Impacts**

The *General Plan Policy Document* includes policies to encourage the expansion of public transportation and bicycle and pedestrian travel in Newman. The *General Plan* would not result in any significantly adverse impacts on other transportation services and facilities.

### **4. Mitigation Measures**

None required.





## CHAPTER V

### PUBLIC FACILITIES AND SERVICES

#### A. INTRODUCTION

This chapter assesses the impacts of the *General Plan* on water, wastewater, drainage, police and fire facilities and services, schools, medical services, solid waste collection and disposal, library service, and utilities in Newman. Existing public facilities are described in Chapter VI of the *General Plan Background Report*.

#### B. WATER

The City is the sole provider of domestic, industrial and commercial water service to customers within the city limits. The city's source of water supply is currently groundwater. In addition to the city's water system, some industrial users have their own wells and use groundwater for their industrial processing. Residents in the unincorporated areas rely on private wells.

The City will continue to increase its use of groundwater to serve demands associated with growth in the Planning Area. In 1991, the City has three wells in service which operate at approximately 50 percent of their combined capacity. As growth occurs, additional groundwater wells will be added to the City's system to accommodate the increase in water demand. The City has one storage tank with a capacity of 100,000 gallons.

##### 1. Implications of the General Plan Land Use Diagram

The implications of the *General Plan Land Use Diagram* on the city's water supply and system were analyzed by applying average water usage figures to the new development potential under the *General Plan*.

The following unit usage factors were used to estimate average water demand at full buildout of the *General Plan*:

Residential	150 gallons/capita/day
Commercial	2,000 gallons/acre/day
Light Industrial	1,800 gallons/acre/day
Heavy Industrial	2,700 gallons/acre/day
Public/Quasi Public (schools, churches, hospitals, etc.)	2,700 gallons/acre/day
Parks	2,000 gallons/acre/day

**TABLE V-1**  
**WATER USAGE FACTORS**

<b>Land Use Category</b>	<b>General Plan Population</b>	<b>Buildout Acreage</b>	<b>Unit Water Use Factor</b>	<b>Water Use (gal.) at Buildout</b>
Residential	28,500	2,270	150 gpcd	4,312,500
Commercial		141	2,000 gal/ac/d	282,000
Light Industrial <sup>1</sup>		361	1,800 gal/ac/d	649,800
Heavy Industrial <sup>2</sup>		304	2,700 gal/ac/d	820,800
Public/Quasi-Public <sup>3</sup>		232	2,500 gal/ac/d	580,000
Parks and Recreation <sup>4</sup>		144	2,000 gal/ac/d	288,000
<b>Total</b>				<b>6,933,100</b>

<sup>1</sup>Includes LI, IS, and BP designations

<sup>2</sup>Includes HI designation

<sup>3</sup>Assumes 112 existing plus 120 acres in new schools and other public/quasi-public facilities

<sup>4</sup>Assumes 24 acres existing/planned plus 120 acres in new parks

gpcd = gallons per capita per day

gal/ac/d = gallons per acre per day

Note: Industrial water use does not include private industrial wells.

Various factors are considered during the design of a water supply system. These factors include the need to provide delivery capacity to meet water demands and requirements for fire protection. Typically, to determine the required capacity of a water supply distribution system, the average demand rate is multiplied by a peaking factor, then increased by a flow rate to ensure adequate fire protection.

As shown in Table V-1, total average water demand is estimated to be approximately 6.9 MGD at buildout of the *General Plan*. If a peaking factor of 2.5 is added, maximum daily demand would be about 17.3 MGD. Fire protection requirements would be met by providing additional water storage facilities.

The National Board of Fire Underwriters recommends the following flows at various population levels as a guideline for fire protection:

<b>Population</b>	<b>GPM</b>
4,000	2,000
10,000	3,000
28,500	5,000



Duration of fire flow demand will vary depending on the type of land use (e.g., residential, commercial, or industrial).

The City has prepared a *Water System Master Plan* which describes an expanded water system to serve buildout of the *General Plan*. This is intended to serve as a guideline for review of proposed specific plans and individual projects.

Specifically, the *Water System Master Plan* shows a gridded and looped water system with 10-inch or larger mains every one-half mile. A 12-inch main is proposed to be installed in the loop road and adjacent roadways to be continuous around the city. Locations and number of wells will be determined for each specific area. All wells will be connected to the 12-inch water line in the loop road for maximum water distribution.

Assuming each well has a capacity of 1,000 gallons per minute (GPM), and only one-half of the number of wells will be in service at any one time, the estimated number of wells required is shown below. The California Waterworks Standards of *California Health and Safety Code*, Title 22, recommends the following flows be provided:

Population	Service Connections	Gallons/Minute	Number of Wells
4,000	1,480	2,700	3
10,000	3,700	5,800	6
28,500	10,650	16,000	16

The water system outlined proposes that a one-million gallon reservoir be located at the site of the existing water tank.

The City and the Central California Irrigation District (CCID) recently completed a joint study to determine the characteristics of the groundwater supply. As of August 1992, this study was in draft form for review purposes. Its preliminary conclusions are that in terms of subsurface geologic conditions and groundwater quality, the groundwater inflow into the Newman urban area could be increased from the present estimated 2,500 acre-feet per year to at least 5,000 to 7,500 acre-feet per year without creating adverse migration of poor quality groundwater into an expanded urban area. The most favorable area for future development of groundwater supply is to the west and southwest of the city. Salinity, nitrate, iron, and manganese contents are indicated to be relatively low in this part of the Newman area. Groundwater east and northeast of Newman is of relatively high salinity and high iron content, and this is area therefore is considered the least suitable area for development of groundwater for public supply in the future.

Water level hydrographs for wells indicate that the Newman area is not in a state of groundwater overdraft, as water levels are rising in the long term. Despite this, there are substantial declines in water level during drought periods, particularly in well tapping the lower aquifer, which is confined. Such lowered water levels, even for brief periods, have the potential to create land subsidence, due to compression of clay layers above the water-producing strata.

## 2. General Plan Policy Response

The following *General Plan* policies address the implications of development under the *General Plan* on the city's water supply and distribution system:

- IV.A.5. The City shall ensure, through a combination of development fees and other funding mechanisms, that new development pays its fair share of the costs of developing new facilities and services.
- IV.B.1. The City shall continue to use groundwater as the principal source of domestic water for the foreseeable future. The City shall also investigate acquisition of surface water rights from the Central California Irrigation District and other sources in order to decrease the city's dependence on groundwater.
- IV.B.2. The City shall approve new development only if adequate water supply to serve such development is demonstrated.
- IV.B.3. The City shall maintain a regular program for replacing older water pipes.
- IV.B.4. The City shall develop, maintain, upgrade, and replace city water wells as necessary to ensure adequate and assured water supply for existing and new development and for fire protection.
- IV.B.5. The City shall maintain a regular program for inspecting and testing fire hydrants.
- IV.B.6. To minimize the need for the development of new water sources and facilities and to minimize sewer treatment needs, the City shall promote water conservation both in City operations and in private development. The City shall require water-conserving water fixtures in all new development.
- IV.B.7. The City shall require the use of drought-tolerant plant species and drip irrigation systems in the landscaping of new public and private open space areas, common areas, and parks.
- IV.B.8. The City shall promote the use of reclaimed water and treated sewage effluent for public and private landscape maintenance and agricultural irrigation.

The *General Plan Policy Document* also includes the following implementation program:

- IV-1. The City shall prepare and periodically update a *Citywide Services Master Plan (CSMP)*. The *CSMP* shall include public facilities and services master plans, including water, wastewater collection and treatment, storm drainage, streets, parks and recreation, public safety, other city services (e.g., administration, community center, senior center), library, health services, other utilities, and schools as provided by the Newman-Crows Landing Unified School District. The *CSMP* shall also include a *Capital Improvement Program* and development fee programs for mitigation of impacts on city services and schools.

### 3. Impacts

The *Water System Master Plan* provides for a water distribution system to serve new development. In addition, as described in Appendix A of the *Policy Document*, "Specific Plan and Neighborhood Plan Guidelines," specific plans and neighborhood plans will be required to address the distribution, location of, and specifications for water facilities needed to serve new development and to complete the citywide infrastructure network. Specific plans must also include an implementation program for financing public infrastructure improvements. Therefore, the impact of the *General Plan* on the water distribution system is considered to be less-than-significant.

Development under the *General Plan* would increase the demand for potable water and reduce the demand for raw irrigation water. In the future as the city grows, the number of additional wells and needed storage capacity will be determined on the basis of actual water usage and peak demand requirements.

Given the conclusions of the draft groundwater study, along with the policies included in the *General Plan* requiring new development to demonstrate an adequate water supply, the impact of development under the *General Plan* on groundwater supply is considered less-than-significant.

### 4. Mitigation Measures

None required.

## C. SEWAGE COLLECTION, TREATMENT, AND DISPOSAL

The City of Newman provides sanitary sewer collection and treatment services for all residential, commercial, and industrial developments within its city limits. Service connections included 1,128 single-family homes, 104 commercial customers, and 57 multi-family units as of June 1990.

Sewers within the older part of the city are typically 6-inch and 8-inch diameter vitrified clay pipes. Main interceptor lines are 10-inch and 12-inch diameter.

Sewers within the newer developed areas are generally eight-inch minimum size and are asbestos cement pipe (ACP), plastic (PVC), or vitrified clay (VCP). The ACP and PVC pipes have better flow factors. The system has two sanitary lift stations. One is located in the Creek Canyon subdivision in the southwest section of the city, and the other is in the Lucas Ranch subdivision in the eastern part of the city.

The existing collection system in the newer developed areas is in relatively good condition. Infiltration and inflow are minimal. The existing collection system in the older areas, however, is subject to high infiltration and inflow.

The City has two main outfall lines: a 21-inch ductile iron main constructed in 1987 and an 18-inch vitrified clay pipe constructed in 1951. Both lines extend along Merced Street and east 11,000 feet to the sewage treatment plant. The combined capacity of both outfalls is approximately 5.0 million gallons per day (MGD) peak flow. This capacity will be sufficient to accommodate future growth within the existing sphere of influence.



While the two outfall lines (18-inch and 21-inch) are sufficient to handle flows from all potential development within the current sphere of influence, major collection lines will need to be built as land is developed beyond the city's current sphere.

The City has two main 12-inch trunk lines connecting to the Merced outfall lines (18-inch and 21-inch). The northerly line extends westerly to Hardin Road at the high school. The southerly line extends westerly to Upper Road at Patchett Drive. Both lines have limited available capacity for new development and are relatively shallow at their terminus.

The sewage treatment plant and ponds are located near the San Joaquin River on approximately 360 acres two miles east of the city. The plant was upgraded in 1978 and provides secondary treatment consisting of aeration, oxidation, chlorination, and overland flow to adjacent fields. The system discharges to the river during periods of high return. The present system can treat approximately 1.1 MGD of wastewater at average flow with a maximum dry weather capacity of 1.7 MGD. The present system was designed to discharge to the San Joaquin River and is required to meet the standards of 30 milligrams per liter of BOD and suspended solids.

The City has modified the sewer treatment plant in order to comply with a Regional Water Quality Control Board cease-and-desist order. The modification included the addition of 210 acres of agricultural land to the site for enhancement of the effluent irrigation and water reclamation process. This modification eliminated discharge to the San Joaquin River. The plant is also currently undergoing expansion through the addition of 90 acres of land for effluent disposal. This expansion will increase design flow capacity to 1.56 MGD, which should be sufficient to serve a total population of 10,500 residents. Projections of plant capacity demands are approximately 1.135 MGD of capacity for residential and commercial flows and 0.425 MGD for industrial uses.

As a condition of certification of the sewer treatment plant expansion EIR, the City has agreed that added plant capacity will support development only within the City's 1976 *General Plan*.

## 1. Implications of General Plan Land Use Diagram

Development under the *General Plan* will increase waste water flow generation and require new collection systems.

The following average wastewater flows were used to determine flows for future growth:

### Average Wastewater Factors

Residential	100	gallons/capita/day
Commercial	2,000	gallons/acre/day
Industrial		
Light	1,500	gallons/acre/day
Heavy	2,500	gallons/acre/day
Public/Quasi Public	1,500	gallons/acre/day
Parks	1,000	gallons/acre/day
Wet Weather Peak Factor		
Older Developed Area	2.5	gallons/acre/day
New Developed Area	1.5	gallons/acre/day

TABLE V-2

## AVERAGE WASTEWATER FLOWS

Land Use Category	General Plan Population	Buildout Acreage	Unit Water Use Factor	Water Use (gal.) at Buildout
Residential	28,500	2,270	100 gpcd	2,854,500
Commercial		141	2,000 gal/ac/d	282,000
Light Industrial <sup>1</sup>		361	1,500 gal/ac/d	541,500
Heavy Industrial <sup>2</sup>		304	2,500 gal/ac/d	760,500
Public/Quasi-Public <sup>3</sup>		232	1,500 gal/ac/d	348,000
Parks and Recreation <sup>4</sup>		144	1,000 gal/ac/d	144,000
<b>Total</b>				<b>4,930,500</b>

<sup>1</sup>Includes LI, IS, and BP designations

<sup>2</sup>Includes HI designation

<sup>3</sup>Assumes 112 existing plus 120 acres in new schools and other public/quasi-public facilities

<sup>4</sup>Assumes 24 acres existing/planned plus 120 new parks

gpcd = gallons per capita per day

gal/ac/d = gallons per acre per day

Source: Garcia & Henry, 1992

In summary, the projected sewage flows for the various uses at buildout as shown in Table V-2 are as follows:

Residential	2.85 MGD
Commercial	0.28 MGD
Industrial	1.30 MGD
Public/Quasi-Public	0.35 MGD
Parks	0.14 MGD
<b>Total Average Daily Flow</b>	<b>4.93 MGD</b>

Development under the *General Plan* will require new trunk lines, and trunk line extension, to be built to service outlying areas. Increased sewage treatment capacity through expansion of the existing plant will be necessary.

The City has prepared a *Sewer System Master Plan* which describes an expanded sewer system to serve buildout of the *General Plan*. This is intended to serve as a guideline for review of proposed specific plans and individual projects. Following is a description of the wastewater collection system outlined in the *Sewer System Master Plan*.

## **A. Southerly and Southwesterly Planning Area**

### **1. Inyo Avenue and Hoyer Avenue**

A deep 15-inch and 18-inch sanitary sewer will be required from M Street to 1,500 feet west of Upper Road. A new regional lift station will be installed at M Street and Inyo Avenue. This lift station will also service all industrial areas southeast of Inyo Avenue, and will allow removal of the existing lift station at Creek Canyon subdivision. Areas south and southwest of Creek Canyon subdivision can connect to the Creek Canyon sewer. The proposed lift station at Upper road and Inyo Avenue can also be eliminated with the new Inyo line.

## **B. Westerly Planning Area**

### **1. Orestimba Road**

A new 12-inch sanitary sewer will be extended from the existing main at Hardin Road southerly to Orestimba Road and westerly to service the area.

## **C. Northeast, North, and Northwest Planning Area**

### **1. North Outfall**

A new 18-inch to 15-inch sanitary sewer will be required from a new lift station to be built at Hills Ferry Road to pump to the existing 18-inch and 21-inch outfalls. The line will extend along the northern part of the major arterial northwesterly to Jensen Road and westerly to the northwest Planning Area. The deeper depths will allow north-south collector lines to be built to Stuhr Road.

### **2. Northeast Planning Area, South of Jensen Road Extension**

This area will be served by the existing system in the Lucas Ranch and Oakwood Terrace subdivisions. The existing lift station at Driskell Road and Hills Ferry Road will remain in place.

### **3. Easterly Planning Area Near the Stuhr Road and Hills Ferry Road Intersection**

This area will require a lift station to connect to the north outfall (1. above) or a new line to be built to the sewage treatment plant.

Financing the sewer collection system could be accomplished through service areas on a benefit-assessment basis. Financing treatment plant expansion might be financed on a citywide fee basis.

## **2. General Plan Policy Response**

The following *General Plan* policies address the implications of increased wastewater flows:

- IV.A.5. The City shall ensure, through a combination of development fees and other funding mechanisms, that new development pays its fair share of the costs of developing new facilities and services.



- IV.B.6. To minimize the need for the development of new water sources and facilities and to minimize sewer treatment needs, the City shall promote water conservation both in City operations and in private development. The City shall require water-conserving water fixtures in all new development.
- IV.C.1. The City shall expand and develop sewage collection and treatment facilities to accommodate the needs of existing and planned development.
- IV.C.2. The City shall maintain a regular program for replacing and upgrading older and undersized sewer lines to reduce inflow and infiltration into the system.

The *General Plan Policy Document* also includes the following implementation program:

- IV-1. The City shall prepare and periodically update a *Citywide Services Master Plan (CSMP)*. The *CSMP* shall include public facilities and services master plans, including water, wastewater collection and treatment, storm drainage, streets, parks and recreation, public safety, other city services (e.g., administration, community center, senior center), library, health services, other utilities, and schools as provided by the Newman-Crows Landing Unified School District. The *CSMP* shall also include a *Capital Improvement Program* and development fee programs for mitigation of impacts on city services and schools.

### 3. Impacts

Development under the *General Plan* will require expansion of the collection and conveyance system and the treatment and disposal facilities. Peak wastewater flows could be reduced in the existing system by repair and/or replacement of old sanitary sewers and elimination of sources of infiltration and inflow. Additional reduction of flows could be achieved through water conservation practices. While included as policy objectives, the quantity of actual flow reductions which might be achieved through these measures is unknown.

The City's treatment plant, even with completion of the planned expansion, will be able to accommodate a population of only approximately 10,500. Accordingly, the City will have to provide additional treatment capacity to support additional growth under the *General Plan*. Expansion of the treatment plant would probably occur incrementally. The method of treatment (e.g., secondary, tertiary) would be determined based on cost, feasibility, and future water quality regulations. The policies in the *Plan* recognize the need for plant expansion, calling for both expanded collection and treatment capacity to be developed as necessary to accommodate planned growth.

The *Sewer System Master Plan* provides for a wastewater collection and treatment system to serve new development. In addition, as described in Appendix A of the *Policy Document*, "Specific Plan and Neighborhood Plan Guidelines," specific plans and neighborhood plans will be required to address the distribution, location of, and specifications for wastewater facilities needed to serve new development and to complete the citywide infrastructure network. Specific plans must also include an implementation program for financing public infrastructure improvements. Therefore, the impact of the *General Plan* on the water distribution system is considered less-than-significant.

#### 4. Mitigation Measures

None required.

#### D. STORM DRAINAGE

The City of Newman maintains and services all storm drains within the city. Some agricultural ditches used for irrigation supply and tailwater runoff exist within the city and in the surrounding areas now being farmed. These ditch systems are maintained by the Central California Irrigation District (CCID). Some city storm drains such as the west side storm drain and the M Street storm drain receive CCID tailwater.

The storm drain system is made up of concrete pipe, reinforced concrete pipe (RCP), and some cast-in-place pipe. Due to flat ground slopes and conflicts with other utilities, many of the storm lines are at flat slopes with slow pipe velocities. This results in siltation in the lines which in turn decreases capacity. CCID irrigation discharges into city lines also add to the siltation problem.

City storm runoff is collected throughout the city and piped to Inyo Street. The Inyo Street storm outfall system flows easterly to Canal School Road. At Canal School Road, the pipes empty into the Miller ditch which flows easterly toward the sewage treatment plant.

##### 1. Implications of the General Plan Land Use Diagram

Future stormwater runoff was analyzed based on the increase in the amount of impervious surfaces resulting from development under the *General Plan*. The design of both existing and new drainage is based on the Stanislaus County standards.

The analysis of runoff from a storm over a given area involves the computation of flows and the routing of those flows through an existing or proposed system. This is done by using the "Rational Method." The Rational Method is the most widely used method for computing quantities of stormwater runoff. The equation for the Rational Method takes the form " $Q=CIA$ ," where:

- Q = Peak runoff in cubic feet per second (CFS);
- C = Composite runoff coefficient describing the portion of rainfall that occurs as runoff;
- I = Average intensity of rainfall in inches per hour, which corresponds to the basin's time of concentration; and
- A = Drainage basin area in acres.

The Rational Method assumes that rainfall occurs uniformly over the drainage basin, that rainfall occurs uniformly over time, and that peak runoff from the basin occurs when the entire basin is contributing to the runoff.

The selection of the proper runoff coefficient (C) is critical to the computation of stormwater runoff. Runoff is dependent on the slope, cover, and saturation of the drainage basin. The type of land uses within a basin affects the amount of runoff generated by a storm. Urban development can greatly increase runoff due to the covering of pervious area, such as dirt or fields, with impervious surfaces, such as roofs and pavement.

Runoff coefficients (C values) have been assumed for each land use designation shown on the *Land Use Diagram*. Each land use was considered to have a corresponding percentage of impervious surface. For instance, industrial areas would have a greater percentage than residential areas because of the large areas of paved surface. The runoff coefficient reflects the portion of rainfall that will occur as runoff.

Table V-3 shows the assumed runoff coefficients for the various land use designations in the *General Plan*.

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**TABLE V-3**  
**RUNOFF COEFFICIENTS**

<b>Basic Runoff Coefficients</b>	
<b>Surface</b>	<b>Coefficients</b>
Pavement	0.95
Roofs	0.80
Compacted Earth without Pavement	0.75
Lawns and Open Lands	0.1 - 0.2
<b>Composite Runoff Coefficients</b>	
<b>Land Use</b>	<b>Coefficient</b>
Residential	
Suburban Density (0.5 to 1.0 Acre Lots)	0.25
Low Density (Single Family)	0.30
Medium Density (Multi-Family)	0.50
Business and Commercial	0.90
Industrial	
Restrictive Light	0.80
General	0.90

Source: Stanislaus County (Nolte and Associates)

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The intensity (I) of a storm, as modelled using the Rational Method, is related to the time of concentration of a drainage basin. Time of concentration is the time it takes for runoff from the most remote point of a basin to reach the outlet of that basin. Thus, the entire basin is contributing runoff to the basin's outlet, maximizing the flow from the basin. The intensity of a storm is derived from an intensity-duration-frequency relationship for precipitation.

Under the *General Plan*, as urban development takes place on currently undeveloped and agricultural areas, runoff will increase due to the greater percentage of impervious surfaces.

In order to provide storm drainage facilities to newly developing areas, several new storm drains must be constructed as well as a new outfall to the San Joaquin River. The City has prepared a *Drainage Master*



*Plan* which describes an expanded drainage system to serve buildout of the *General Plan*. This is intended to serve as a guideline for review of proposed specific plans and individual projects. Following is a description of the system:

1. City Outfall

An open channel storm drain outfall should be constructed from the existing channel at the sewage treatment plant northerly to Hills Ferry Road and down Hills Ferry Road to Swamp Rats Road. The channel should also extend to the existing outfall at Canal School Road.

2. Storm Drain Lift Station

The existing storm drain lift station at Inyo Avenue and Canal School Road should be expanded to handle new outfalls on Inyo Avenue and Canal School Road.

3. South and Southwest Areas

A new storm drain will be constructed along the southern part of Shiells/Brazo Road. A connection at Prince Street to and along Hallowell Road will be required. Drainage from the Creek Canyon subdivision area will extend to Prince Street and connect southerly along Prince Street to the new storm drain.

4. West Area

A new storm drain will be required on Inyo Avenue to extend from Canal School Road to Harvey Road. Northerly storm drains through the Ridgecrest subdivision and on Harvey Road will be required to service areas along Orestimba Road and north of Orestimba Road.

5. North and Northwest Areas

A storm drain extending along the north part of the new major arterial from the new channel to be built on Hills Ferry Road northwesterly to and westerly along Jensen Road will be required.

6. Stuhr Road Area

A new storm drain will be required to extend from Hills Ferry Road westerly along Stuhr Road. The existing ditch outfall flowing northeasterly from Villa Manucha Road and Stuhr Road may be able to be used.

7. Northeast Area, South of the New Major Arterial

This area will connect to the existing storm drains constructed by the developers of the Lucas Ranch and Oakwood Terrace subdivisions. An area drainage fee to be reimbursed to Lucas Ranch and Oakwood Terrace subdivisions will be collected with development.

As with the financing of the sanitary sewers, costs of the new systems should be assessed back to the different areas on the basis of benefit. The proposed storm drain channel outfalls are of citywide benefit and should be assessed as such.

## 2. General Plan Policy Response

The following *General Plan* policies address the implications of increased drainage flows from development:

- IV.A.5. The City shall ensure, through a combination of development fees and other funding mechanisms, that new development pays its fair share of the costs of developing new facilities and services.
- IV.D.1. The City shall expand and develop storm drainage facilities, including storm drains and detention ponds, to accommodate the needs of existing and planned development.
- IV.D.2. Future drainage system discharges shall comply with applicable state and federal pollutant discharge requirements.
- IV.D.3. The City shall maintain a regular program for replacing and upgrading older and undersized storm drains.

The *General Plan Policy Document* also includes the following implementation program:

- IV-1. The City shall prepare and periodically update a *Citywide Services Master Plan (CSMP)*. The *CSMP* shall include public facilities and services master plans, including water, wastewater collection and treatment, storm drainage, streets, parks and recreation, public safety, other city services (e.g., administration, community center, senior center), library, health services, other utilities, and schools as provided by the Newman-Crows Landing Unified School District. The *CSMP* shall also include a *Capital Improvement Program* and development fee programs for mitigation of impacts on city services and schools.

## 3. Impacts

The existing storm drainage system and ditch outfall will experience substantial increase in runoff and will not be able to handle flows from the newly developed areas.

The *General Plan Policy Document* provides for the expansion and development of new storm drainage facilities. The *Drainage Master Plan* provides for a drainage system to serve new development. In addition, as described in Appendix A of the *Policy Document*, "Specific Plan and Neighborhood Plan Guidelines," specific plans and neighborhood plans will be required to address the distribution, location of, and specifications for drainage facilities needed to serve new development and to complete the citywide infrastructure network. Specific plans must also include an implementation program for financing public infrastructure improvements. Therefore, the impact of the *General Plan* on the water distribution system is considered less-than-significant.

## 4. Mitigation Measures

None required.

## E. LAW ENFORCEMENT

The Newman Police Department provides law enforcement within the city limits. A description of the Police Department and historical information on their activities is included in the Chapter VI of the *General Plan Background Report*. The police station is located at 1200 "O" Street. Dispatching of police units via a "911" system is handled through the Stanislaus County Communications Center in Modesto.

The department employed eight sworn officers as of June 1990, including the police chief, and one police clerk. This works out to a ratio of 1.75 sworn officers per 1,000 population.

Law enforcement in the unincorporated area is the responsibility of the Stanislaus County Sheriff's Department. Coroner's service is provided throughout the county by the Sheriff's Department. The court system and jails are operated and maintained by Stanislaus County.

The California Highway Patrol patrols the state highways and interstates and county roads that pass through the Planning Area.

### 1. Implications of the General Plan Land Use Diagram

As the city grows and new development occurs, increased population and new commercial and industrial development will increase the need for police service in areas annexed to the city. Police service requirements are also influenced by the demand for traffic control and traffic accident services. The higher the traffic volumes, the greater the need for traffic control services. Response times could increase if staffing does not keep pace with the increased demand for police service.

To estimate future staffing needs, a ratio between 1.5 to 2.0 sworn officers per 1,000 population was assumed. While Newman currently has a ratio of 1.75 officers per 1,000 population, as cities grow larger, the ratio often falls as the department is able to achieve economies of scale. The actual number required will depend on the types of land uses, overall crime rates, and response times demanded by the City. At the estimated full buildout population of approximately 28,500, the Newman Police Department would require between 43 and 57 total sworn officers, or an increase of 35 to 49 additional officers, plus support personnel and equipment.

The Police Department also has limited facilities. Development under the *General Plan* will require a new or additional police station facilities.

### 2. General Plan Policy Response

The *General Plan Policy Document* contains the following policies to assure that adequate levels of police service and facilities are maintained:

- IV.F.1. The City shall, through adequate staffing and patrol arrangements, endeavor to maintain the minimum feasible response times for police calls. The goal for average response time for Priority 1 (emergency) calls shall be three minutes.
- IV.F.2. The Police Department shall continually monitor response times and report annually on the results of the monitoring.



### 3. Impacts

With full buildout of the *General Plan*, the Newman Police Department would require between 39 and 52 sworn officers, or 32 to 45 additional officers, plus additional support personnel and equipment. Expansion of the Police Department facilities would also be required.

The *General Plan Policy Document* contains policies aimed at reducing demand for police services and endorses minimum response times with staffing to ensure these goals. The impact of the *General Plan* on police service is, therefore, deemed to be less-than-significant. The City has an adopted facilities impact fee assessed on new development to pay for a variety of facilities, include fire. The *General Plan* provides for annual review and revisions of impact fees. Expanded police facilities could be addressed on a fee basis or through the specific plan process.

### 4. Mitigation Measures

None required.

## F. FIRE

Fire protection within the Planning Area is provided by the Newman Fire Department and the West Stanislaus Fire District (WSFD). A description of the Fire Department and their activities is included in Chapter VI of the *General Plan Background Report*. The Newman Fire Department and WSFD are volunteer fire departments which share a fire station in Newman. For administrative purposes, however, they operate as separate entities. The Newman Fire Department provides fire protection to all lands within the city limits. The WSFD boundaries include an area of approximately 625 square miles, including all unincorporated lands within the Planning Area.

As of 1990, the Newman Fire Department was staffed by about 30 volunteers and the WSFD by another 135 volunteers. Volunteers are called based on the area of the call.

The Fire Department is located at 1162 N Street. Newman maintains an Insurance Services Office (ISO) rating of 5 on a scale of 1 to 10, 1 being best. Response times within the city are typically about three to five minutes.

### 1. Implications of the General Plan Land Use Diagram

Fire service is similar to police service in terms of need to maintain a 24-hour response capability and the need to minimize response times to calls. The City currently is adequately served through a fully volunteer fire force. There are no clear population thresholds to indicate at what level paid personnel will be required. Rather, the need for paid fire personnel will be dependent on the levels of service maintained by the Newman Fire Department as the city grows.

According to the West Stanislaus Fire Chief, a ratio of 1.00 to 1.25 sworn full-time firefighters per 1,000 population is an appropriate standard. Using this standard, 29 to 36 full-time firefighters would be required at buildout. Additional non-sworn personnel and fire safety inspectors will also be required.

It is unlikely that Newman will rely on a fully paid or fully volunteer fire force over the next 20 years, but more likely a combination of volunteers and paid firefighters.

In addition, to provide adequate response time and facility space, at least one additional fire station will likely be required.

## 2. General Plan Policy Response

The *General Plan* contains the following policy to address the implications of development on fire service:

- IV.G.1. The City shall endeavor to achieve an overall fire insurance (ISO) rating of five or better. The goal for average response time for Priority 1 (emergency) calls should be five minutes or better.

## 3. Impacts

Increased population and new commercial and industrial development under the *General Plan* will increase the need for fire service, including one or more additional fire stations, and most likely the need for some full-time paid personnel. The *General Plan Policy Document* includes policies to maintain specified levels of fire service. The City has an adopted facilities impact fee assessed on new development to pay for a variety of facilities, include fire. The *General Plan* provides for annual review and revisions of impact fees. The fire service-related implications of the *General Plan*, therefore, are deemed to be less-than-significant. Expanded fire station facilities could be addressed on a fee basis or through the specific plan process.

## 4. Mitigation Measures

None required.

## G. SCHOOLS

### Newman-Crows Landing Unified School District

School service within the Planning Area is provided by the Newman-Crows Landing Unified School District (NCLUSD). The NCLUSD provides public K-12 education to families within the District boundaries, which include the Newman area, the community of Crows Landing, and all of western Stanislaus County south of Marshall Road. The NCLUSD is governed by an elected five-member board of trustees.

NCLUSD operates one elementary, one junior high, one high school, and a continuation high school in Newman. The continuation school is operated from leased classrooms at the Catholic Church. The district operates another elementary school in Crows Landing, outside the Planning Area boundaries. Schools are discussed in Chapter VI of the *General Plan Background Report*.

Table V-4 shows the school site capacities, 1990 enrollment figures, and remaining site capacities for campuses within the Newman-Crows Landing Unified School District as of 1990. It should be noted that the capacity totals shown in Table V-4 reflect the capacity of the district's *sites*, not the existing facilities. In some cases, the District would have to add new facilities to reach site capacity, specifically at Orestimba High School, where the existing facilities can accommodate only about 500 students.

While capacity remained at some schools as of 1990, as of November 1991, all three schools are close to or are exceeding their building capacities. This is a result of homes occupied since the baseline date of 1990. For purposes of this *EIR*, these homes were considered vacant and these students are included in the new student calculations for buildout of the *Land Use Diagram*.

TABLE V-4

**NEWMAN-CROWS LANDING UNIFIED SCHOOL DISTRICT  
School Site Capacities, Enrollments, and Remaining Site Capacity  
1990**

School Name	Grade Level	1990 Site Capacity	1990 Enrollment	Surplus Capacity
Von Renner Elementary School	K-5	600	601	(1)
Yolo Junior High School	6-8	450	330	120
Orestimba High School	9-12	2,200	303	1,897
Westside Valley High School (Cont)	9-12*			

\*Continuation school operating out of leased facilities.

Source: Newman-Crows Landing Unified School District, *Feasibility Study for the Formation and Implementation of a Mello-Roos Community Facilities District*. Prepared by MRA/Associates, October 1990.

### Stanislaus County Office of Education

The Stanislaus County Office of Education (SCOE) also provides school-related services, including services to school districts and to children and students with specialized needs. The SCOE provides business support services and education support services to school districts in Stanislaus County. The SCOE provides special education programs for students with specialized needs and also provides an alternative education program to students excluded from regular school campuses, including students in juvenile hall, on probation, and in residence homes. In addition, the SCOE provides an environmental education program for all sixth grade students in Stanislaus County.

### Yosemite Community College District

Newman is located within the Yosemite Community College District (YCCD). The nearest community college is Modesto Junior College in Modesto, which has two campuses. Modesto Junior College West is located on Blue Gum Avenue and the main campus is located on College Avenue. The colleges in the district offer a full program of courses suitable for transfer to a four-year college or university, and offer an Associate of Arts degree.



## 1. Implications of the General Plan Land Use Diagram

### Newman-Crows Landing Unified School District

The implications of the *General Plan Land Use Diagram* on schools were assessed by analyzing new student generation at buildout of the *General Plan* added to 1990-91 enrollment. The number of new schools required was estimated based on remaining school site (not facility) capacity in 1990 and assumed typical capacity levels for new schools.

The number of new students generated under buildout of the *General Plan* was calculated using student yield factors from the NCLUSD-City of Newman *School Task Force Report*, published in January 1992. The report identifies yield factors in terms of pupils per household for each school level along with assumed campus design capacity for new schools. These factors and assumptions, along with a tabulation of new school campus needs, are shown in Table V-5. It should be noted that the yield factors are not broken down by type of dwelling unit (e.g., single family, multi-family). Generally, household sizes for multi-family units and student yield factors are lower for multi-family units than for single family homes. The yield factors in Table V-5 should be considered an average; as individual projects are proposed the student yield can be analyzed based on the mix of housing types.

TABLE V-5

**NEW SCHOOL NEEDS**  
**Buildout of General Plan<sup>1</sup>**

School Type	Grade Levels	Pupils per Residence	New Students	1990 Site Capacity Surplus	Needed Capacity	Design Capacity	New Campuses
Elementary	K to 6	0.42	3,836	0	3,836 <sup>2</sup>	600	6.40
Junior High	7 and 8	0.13	1,187	120	1,067	1,200	0.89
High School	9 to 12	0.16	1,461	1,897 <sup>3</sup>	0	1,800	0.00
<b>Total</b>	<b>K to 12</b>	<b>0.71</b>	<b>6,484</b>	<b>2,017</b>	<b>4,903</b>		

<sup>1</sup>Assumes 9,133 new dwelling units (see Table II-1)

<sup>2</sup>Includes capacity planned for new elementary school northeast of the city.

<sup>3</sup>Assumes Orestimba High School site can accommodate facilities that will increase its capacity to 2,200.

Source: Newman-Crows Landing Unified School District - City of Newman, *Schools Task Force Report*, January 1992; J. Laurence Mintier & Associates, August 1992

As Table V-5 indicates, buildout of the *General Plan* would generate approximately 6,484 additional students in the Newman-Crows Landing Unified School District. Of these, approximately 2,000 can be accommodated at existing school sites and 600 will be accommodated at a new elementary school being planned for the area immediately northeast of the city. The following paragraphs describe school facilities needs generated by new residential development at buildout of the *General Plan*. It should be noted that this analysis assumes that all students residing in new development will attend local public schools.

### Elementary Schools

As Table V-5 shows, approximately 3,836 new elementary school students will reside in Newman at buildout of the *General Plan*. Since NCLUSD's only elementary campus in Newman, Von Renner, is operating at capacity, all of the new students generated from buildout of the *General Plan* would have to be housed at new facilities on new sites. The District's planning policies assume that new elementary schools should be designed to accommodate 600 students each. Accordingly, more than six new elementary schools will be needed at buildout of the plan. Based on current school district planning, Yolo Junior High could be converted to an elementary school. The District already has plans to develop a new elementary campus immediately northeast of the city that will accommodate an additional 600 students, so the need for facilities planning is limited to four to five new campuses.

### Junior High Schools

Table V-5 indicates that, at buildout of the *General Plan*, approximately 1,187 additional junior high school students would reside in Newman. According to NCLUSD, Yolo Junior High has the site capacity to accommodate an additional 120 students as of 1990. A new campus to accommodate the balance of new student generation would, therefore, need to be provided. If Yolo Junior High is converted to an elementary school, two new junior high schools would be required. NCLUSD's planning assumptions state that new junior high schools would each require approximately 20 acres of land.

### High Schools

At buildout of the *General Plan*, approximately 1,461 new high school students would live in Newman. NCLUSD estimates that Orestimba High School's current site could accommodate enrollment growth of about 1,890 students. If the District intends to maximize the site capacity of Orestimba High, no new site acquisition would be necessary. The District would, nonetheless, have to fund the development of additional facilities at the existing site.

Figure V-1 shows generalized areas for potential new school sites, according to the expected location of residential development resulting from the *General Plan*. These potential sites are intended for illustrative purposes only; the precise locations and timing of new school construction will be identified by the school district as development in currently-undeveloped areas of the city takes place.

### **Stanislaus County Office of Education**

New development under the *General Plan* will increase the demand for services provided by the Stanislaus Office of Education. The SCOE provided the ratios of the specific services correlated to the number students. Table V-6 lists the specific SCOE program, the student yield ratio per 1,000 students, and the number of new students requiring such services at buildout of the *General Plan*.

TABLE V-6

**STANISLAUS COUNTY OFFICE OF EDUCATION PROGRAM NEEDS  
In Number of New Students at  
Buildout of General Plan\***

<b>Direct Educational Services</b>	<b>Student Yield Ratio</b>	<b>New Students at Buildout</b>
Special Education/Severely Handicapped	5.47 students per 1,000 students	36
Special Education/Non-Severely Handicapped	1.28 students per 1,000 students	8
Community School Program	1.28 students per 1,000 students	8
Independent Study Program	2.33 students per 1,000 students	15
Juvenile Hall Program	1.28 students per 1,000 students	8
Head Start Program	10.15 students per 1,000 students	66
Migrant Pre-School Program	12.36 students per 1,000 students	80
Environmental Education Program	72.77 students per 1,000 students	473
<b>Staffing</b>	<b>Staff Yield Ratio</b>	<b>New Staff at Buildout</b>
Staff Development Program	33.33 teachers per 1,000 students	217
	3 administrators per 1,000 students	20
The Office of Education	1.93 staff per 1,000 students	13
<b>Facilities</b>	<b>Building Space Ratio</b>	<b>New SF at Buildout</b>
Instructional Materials Center	140 square feet per 1,000 students	910
Library	333 square feet per 1,000 students	2,165
Computer Center	25 square feet per 1,000 students	163

\*Assumes 6,484 new students at buildout; from Table V-5

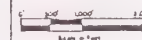
Source: Stanislaus County Office of Education, January 1992; J. Laurence Mintier & Associates, August 1992.

As Table V-6 shows, development under the *General Plan* will increase the need for services, staffing, and space provided for Stanislaus County Office of Education programs.





## Newman Study Area



Base Map prepared by Lee Service Corps, June 1990



FIGURE V-1

GENERALIZED  
LOCATIONS FOR  
NEW SCHOOL SITES

-  Elementary
-  Junior High



## Yosemite Community College District

Development under the *General Plan* will increase the demands on the YCCD. According to the YCCD, student population increases by 48.02 students per 1,000 population. The need for administrative facilities increases by 11.29 square feet for every new full time equivalent student. Applying these ratios to the additional 24,087 population which could be accommodated under the *General Plan* would mean an additional 1,157 students in the YCCD and a need for an additional 13,063 square feet of administrative space.

## 2. General Plan Policy Response

The *General Plan* includes the following policies to assist the Newman-Crows Landing Unified School District in providing new school facilities and educational services required by development under the *General Plan*:

- IV.H.1. The City shall assist the Newman-Crows Landing Unified School District in locating and reserving appropriate sites for new schools, as indicated in Appendix A of the *Policy Document*.
- IV.H.2. The City shall work cooperatively with the Newman-Crows Landing Unified School District in monitoring housing, population, and school enrollment trends to plan for future school facility needs.
- IV.H.3. The City shall support enactment of state legislation to finance the construction of new schools.
- IV.H.4. The City shall cooperate with the Newman-Crows Landing Unified School District in an effort to ensure adequate financing for new school facilities. To this end, the City shall cooperate with the School District in the collection of school facility development fees from new residential and non-residential development. The City and the School District shall identify, establish, and implement additional measures to fully mitigate the impacts of new development on the school system.
- IV.H.5. The City shall work with the Newman-Crows Landing Unified School District to ensure that school facilities are planned and constructed and that funding mechanisms are in place, pursuant to state guidelines and policies, to meet future student population needs.
- IV.H.6. The City shall include the Newman-Crows Landing Unified School District in the City's development review process for new residential developments.

## 3. Impacts

In summary, full buildout of the *General Plan* would generate approximately 6,484 new students: 3,836 in elementary school (K-6); 1,187 in junior high school (7-8); and 1,461 in high school (9-12). This would require the development of five to six new elementary schools (including the new school currently being planned), conversion of Yolo Junior High School to an elementary school, two new junior high schools, and the substantial expansion of the facilities of Orestimba High School.



Since the passage of Proposition 13 in 1978, school districts have relied heavily on state funding for the construction of new school facilities. Additionally, according to State law, school districts in California are permitted to levy impact fees on new development to fund new school facilities. As permitted under law, the NCLUSD assesses new facility development fees on new development at a rate of \$1.65 per square foot of residential development and \$.27 per square foot on new commercial and industrial development.

The availability of state financing for new school facilities is uncertain, given the limited state funds and the competition among school districts. To the extent that impact fees are inadequate to finance new school facilities and state funding is uncertain, adequate school financing is not guaranteed. Therefore, reliance on these options could conceivably result in serious overcrowding and deterioration in the quality of schools.

Alternative sources of funding include Mello-Roos financing districts (a form of special assessment district), general obligation bonds, developer agreements, and sale and/or trade of surplus school property. As of August 1992, the City and School District are negotiating a per-unit school mitigation fee to be levied on new housing that exceeds the existing \$1.65 per square foot fee.

The *General Plan Policy Document* includes several policies concerning the City's cooperation with the school district in ensuring that new development addresses school impacts and in assisting with instituting additional funding programs. If these policies are fully implemented, the impacts of new development under the *General Plan* would have a less-than-significant impact on school facilities in Newman.

Development under the *General Plan* will also have minor impacts on the Stanislaus County Office of Education. These services are provided on a countywide basis, and some programs receive state and federal funding. These programs are more appropriately addressed on a countywide basis through existing funding sources or through the County's Public Facility Fee program. The impacts are therefore considered less-than-significant.

Development under the *General Plan* will also increase enrollment in the Yosemite Community College District. Community colleges are funded at the state level. The impacts on the YCCD from development in Newman is relatively minor. In addition, if new development was not accommodated in Newman under the *General Plan*, it would presumably occur elsewhere in the state with the same impact on community college facilities. The impacts are therefore considered less-than-significant.

#### **4. Mitigation Measures**

None required.

#### **H. LIBRARY SERVICES**

Library service is provided within the Planning Area by the Stanislaus County Public Library system. The Newman branch, which is located at 1305 Kern Street, holds approximately 11,000 volumes.

## 1. Implications of the General Plan Land Use Diagram

The Stanislaus County Public Library system has adopted standards of 2.1 volumes per capita for library materials and 0.4 square feet of facilities per capita. Applying these standards to the population forecasted at buildout of the *General Plan*, the materials collection at the Newman branch library would have to grow to over five times its current size of 11,000 volumes.

## 2. General Plan Policy Response

The *General Plan* includes no policies directly addressing the need for library facilities required by development under the *General Plan*.

## 3. Impacts

The new population forecasted at buildout of the residential designations of the *General Plan* would result in the need for an addition of approximately 50,580 volumes to the materials collection of the Newman branch library and approximately 9,600 additional square feet of facility area. The County's Public Facility Fees cover the cost of providing new library services as part of the countywide collection of funds to support new development. Because this funding mechanism is already in place, the impact of the *General Plan* on library facilities is considered less-than-significant.

## 4. Mitigation Measures

None required.

## I. SOLID WASTE

Solid waste collection and disposal for all residential, commercial, and industrial uses in Newman are provided under a franchise agreement with Bertolotti Disposal Company. Collection takes place once a week for residences, and twice weekly for businesses and industry. From January to June 1990, Bertolotti collected an average of 450 tons of waste per month. Waste is transported to the Stanislaus Resource Recovery Facility (a waste-to-energy plant) and the Fink Road Landfill, both located approximately six miles from Newman west of I-5 on Fink Road.

### 1. Implications of the General Plan Land Use Diagram

To calculate future solid waste disposal, typical waste disposal factors were applied to total population and number of employees in Newman at buildout of the *General Plan*. These calculations correspond to Newman's current waste disposal rates, but break out employment separately since the ratio of employees to residents will increase at buildout of the *General Plan*. These calculations are shown in Table V-7.

TABLE V-7

**TOTAL SOLID WASTE DISPOSAL  
Buildout of General Plan**

Land use	Measuring Unit	Multiplier	Solid Waste Disposal	
			(lbs/day)	(tons/yr)
Residential	28,500 persons	3.3 lbs per capita	94,200	17,192
Employment	11,500 employees	3.0 lbs/employee	34,500	6,296
<b>Total</b>			<b>128,700</b>	<b>23,488</b>

Source: J. Laurence Mintier & Associates

As shown in Table V-6, at current disposal rates, development at buildout of the *General Plan* will require disposal of approximately 23,500 tons of solid waste per year, an increase of approximately 18,100 tons.

Stanislaus County estimates that the Fink Road landfill facility has 15 years worth of capacity remaining and is contemplating expansion at the site along with other options, including reducing the waste stream. While the population and employment projections for Newman assumed by Stanislaus County are lower than those permitted under the *General Plan*, these would be offset if the City is able to reduce its waste according to the policies set forth in the *General Plan*.

## 2. General Plan Policy Response

The *General Plan* includes the following policies to address the implications of increased solid waste generation and disposal requirements resulting from new development:

- IV.E.1. The City shall develop, adopt, and implement a State-approved *Source Reduction and Recycling Element* that will effectively reduce the amount of waste disposed of by 25 percent by 1995 and 50 percent by the year 2000.
- IV.E.2. The City shall provide appropriate waste collection, recycling, and disposal services throughout the incorporated area.
- IV.E.3. The City shall coordinate with the Stanislaus County Public Works Department concerning the city's continuing use of the Stanislaus Resource Recovery Facility and Fink Road Landfill and capacity projections for these facilities.
- IV.E.4. The City shall meet or exceed all state laws relative to waste management and reductions.



### 3. Impacts

At current disposal rates, buildout of the *General Plan* would require the disposal of a total of 23,500 tons of solid waste per year from Newman at the Fink Road Waste-to-Energy Plant and Landfill. Assuming the City achieves its goal of 50 percent reduction through recycling and waste diversion practices by 2000, annual disposal would be reduced to 11,750 tons at full buildout.

The Stanislaus Resource Recovery Facility and Fink Road Landfill have adequate capacity for Newman's projected quantity of waste, even without a successful waste reduction program. Growth in Newman would, however, hasten the time at which its capacity was exhausted. In addition, growth under the *General Plan* would add to the cumulative growth and increases in waste generation and disposal countywide. While the population and employment projections for Newman assumed by Stanislaus County are lower than those permitted under the *General Plan*, these would be offset if the City is able to reduce its waste according to the policies set forth in the *General Plan*.

While growth under the *General Plan* will contribute to waste disposed of in county facilities, the *General Plan* includes policies to reduce the waste disposal and cooperate with the County in providing for expansion of these facilities. The solid waste impacts of the *General Plan* are therefore considered to be less-than-significant.

### 4. Mitigation Measures

None required.

## J. UTILITIES

Gas and electricity service is provided to Newman by Pacific Gas & Electric Company. Existing electrical transmission lines consist of 115 kilovolt source lines.

Telephone service is provided by Pacific Bell.

### 1. Implications of the General Plan Land Use Diagram

Buildout under the *General Plan* could require extension of gas and electrical lines, and expansion of existing substations. Additional telephone lines would also be required.

### 2. General Plan Policy Response

The *General Plan* includes the following policies to provide for the development and proper siting of utility facilities:

- IV.J.1. Public facilities, such as utility substations, water storage or treatment facilities, pumping stations, and sewer treatment facilities, shall be located, designed, and maintained so that noise, light, glare, or odors associated with these facilities will not adversely affect nearby land uses. Building and landscaping materials that make these facilities compatible with neighboring properties shall be used.

- IV.J.2. State, railroad, and utility company rights-of-way shall be considered for use as public or open space, trails, parkland, or other compatible recreational uses.
- IV.J.3. The City shall require all new electrical, communication, and telecommunication lines to be installed underground, unless the City deems it infeasible. The City shall actively promote the undergrounding of existing overhead facilities.
- IV.J.4. The City shall promote the selective clustering of public and quasi-public facilities such as schools, parks, libraries, child care facilities, and community activity centers. The City shall promote joint-use of public facilities and agreements for sharing costs and operational responsibilities among public service providers.
- IV.J.5. The City shall explore the potential for putting all new development and/or the entire city in a master landscape and lighting district for maintenance of street lights and street furniture.

### **3. Impacts**

Development under the *General Plan* would require extensions and improvements to electric, gas, and telephone lines. Expansion of existing substations would be required at buildout of the *General Plan*. Extensions and improvements to electrical, gas, and telephone lines would be funded by new development as it occurs. The costs for expansion of capital facilities are spread over the entire service area, as regulated by the California Public Utilities Commission.

The increased demand on gas, electricity, and telephone service is deemed to be a less-than-significant impact.

### **4. Mitigation Measures**

None required.

## **K. CEMETERY**

### **1. Implications of the General Plan Land Use Diagram**

The Hills Ferry Cemetery District owns and operates the Hills Ferry Cemetery. The Hills Ferry Cemetery is located just east of the Planning Area at Stuhr and Draper Roads. The 20-acre site can accommodate 13,000 graves, 10,000 of which are currently reserved or used.

The Hills Ferry Cemetery District averages sales of 100 to 120 plots per year. At this rate, the cemetery would have adequate space at its present site to accommodate demand for the next 25 years. However, higher rates of population growth in Newman and in other communities within the District, including Gustine, Santa Nella, and Crows Landing, is likely to accelerate the time at which the cemetery could no longer accommodate demand at its existing site.

### **2. General Plan Policy Response**

The *General Plan* includes the following policy to address the impacts on the Hills Ferry cemetery:

- I.F.5. The City shall cooperate with the Hills Ferry Cemetery District in addressing mutual needs and the requirement for expansion of cemetery facilities.

### **3. Impacts**

Development under the *General Plan* would increase demand on the Hills Ferry Cemetery and accelerate the rate at which the available space is used up. The *General Plan* includes a policy addressing these impacts. Therefore, the impact on the Hills Ferry Cemetery District is considered less-than-significant.

### **4. Mitigation Measures**

None required.





## CHAPTER VI

### RECREATIONAL AND CULTURAL RESOURCES

#### A. INTRODUCTION

This chapter assesses the impacts of the *General Plan* on recreational and cultural resources in Newman, including park facilities, recreation programs, historical buildings and places, and locations with archeological significance. Existing recreational and cultural resources are described in Chapter VII of the *General Plan Background Report*.

#### B. PARKS AND RECREATION

Parks in Newman are operated and maintained by the City. Excluding school properties and facilities, the City presently has about 12 acres of developed parkland, 9 in community parks and 3 in neighborhood parks. This constitutes a ratio of approximately 3 acres of City-owned and operated developed parkland per 1,000 residents. According to the standards in the *General Plan* (5 acres of parks per 1,000 residents), the city should have approximately 21 acres of developed parkland. Thus, based on these standards, the City has a parkland deficit of about 9 acres of parkland.

##### 1. Implications of the General Plan Land Use Diagram

Development in accordance with the *General Plan*, while providing opportunities for parkland acquisition and development, will place demands on existing facilities and programs and create additional demands for new facilities and programs.

The *General Plan* contains a standard of five acres of parkland (combined neighborhood and community) per 1,000 residents. Based on this standard, the city should have about 20 acres of developed parkland, whereas it currently has only about 12. Thus, according to *General Plan* policy, Newman has a deficit of developed parkland of approximately 8 acres.

At buildout of the *General Plan*, approximately 24,000 new residents would be added to Newman, creating a need for approximately 120 acres of developed parkland.

The *General Plan Land Use Diagram* proposes no specific sites for future parks. Figure VI-1 shows generalized locations of potential park sites, according to the expected location of residential development resulting from the *General Plan*. These potential sites are intended for illustrative purposes only; more precise locations for parks will be identified as specific plans required to be replaced for most newly-developing areas.

This discussion does not address regional parks, as the *General Plan* proposes no population standards for regional parks.

##### 2. General Plan Policy Response

The *General Plan* contains the following policies which address the implications of increased population and new development on park and recreation facilities and programs:

- V.A.1. The City hereby establishes the standard of five acres of developed parkland (combined neighborhood and community) per 1,000 residents.
- V.A.2. New development shall be required to contribute to meeting the City's standard of five acres per 1,000 residents. To this end, the City shall require all new development to dedicate land, dedicate improvements, pay in-lieu fees, or a combination of these determined acceptable by the City, to the maximum extent authorized by law.
- V.A.3. The City shall pursue all available and appropriate county, state, and federal funding for the acquisition of parkland and the development of park facilities.
- V.A.4. Neighborhood parks shall be integrated into, and become focal points of, all residential neighborhoods.
- V.A.5. All parks shall be designed to be accessible to all ages and to disabled persons.
- V.A.6. The City shall develop a community park in Newman. This park should include athletic complexes such as baseball and soccer fields and areas with natural qualities for outdoor recreation such as walking, running, and picnicking. The park should also include playground equipment, concession facilities, water and sanitary facilities, and group-use facilities or a community center.
- V.A.7. The City shall explore development of a regional park along Hills Ferry Road near the San Joaquin River.
- V.A.8. The City shall pursue joint-use of school facilities as a high priority for the development of new park and recreational facilities.
- V.A.9. Parks shall be located, oriented, and designed in such a way as to facilitate security, policing, and maintenance.
- V.A.10. New high-activity-level parks and parks intended for night use shall be designed to buffer existing and planned surrounding residential uses from excessive noise, light, and other potential nuisances.
- V.A.11. The City shall explore development of a centrally-located youth center, teen center, and senior center.
- V.A.12. The City shall emphasize the use of drought-tolerant and drought-resistant landscaping in the development of City parks.
- V.A.13. The City shall encourage the use of open space and recreational uses as buffers between incompatible land uses.
- V.A.14. The City shall pursue the development of a citywide network of pedestrian and bicycle ways. The pedestrian and bicycle ways system should be designed to directly link residential neighborhoods, parks, schools, downtown, neighborhood shopping centers, and employment centers.







V.A.15. The City shall develop a greenbelt along the railroad right-of-way through Newman.

### 3. Impacts

At buildout of the *General Plan*, an additional 120 acres of neighborhood and community parkland will be required, not including parkland acreage to meet the current deficit. The *General Plan* encourages and provides for the development of parks and establishment of recreational programs, specifying that new development under the *General Plan* will be required to provide parks to serve residents of the new development. This does not include addressing the city's existing park deficit, which will have to be addressed by other means.

The impact of new development authorized by the *General Plan* on parks and recreation facilities in Newman is, therefore, considered to be less-than-significant.

### 4. Mitigation Measures

None required.

## C. HISTORIC RESOURCES

Newman contains a number of historic homes and structures built in the late 1800s and early 1900s. In 1984, the Newman-Crows Landing Arts Council received a grant to inventory the buildings in the community that were built prior to 1942. Over 200 historic homes were recorded in the inventory. Newman's downtown area also has many buildings constructed in the late 1800s and early 1900s that reflect Newman's historic heritage. There are, however, no sites in Newman that are currently listed on the National Register of Historic Places or on the State Inventory of Historic Places.

### 1. Implications of the General Plan Land Use Diagram

Growth and development in accordance with the *General Plan Land Use Diagram* could result in the demolition or alteration of locally-important historic buildings, particularly in the downtown and surrounding neighborhoods. In addition, new construction could occur in a manner which detracts from or is disharmonious with designated historic buildings and sites.

### 2. General Plan Policy Response

The *General Plan* contains the following policies to preserve and enhance the city's historic heritage:

V.D.1. The City shall set as a high priority the protection and enhancement of Newman's historically- and architecturally-significant buildings.

V.D.2. The City shall complete and adopt an inventory of historical buildings and sites.

V.D.3. The City shall adopt and implement the State *Historic Building Code*.

V.D.4. The City shall develop guidelines for preservation and rehabilitation of historic structures and compatible infill development. New development near designated historic landmark structures and sites shall be designed to be compatible with the character of the designated historic resources.



- V.D.5. The City shall work with property owners in seeking registration of historical structures and sites as State Historic Landmarks or listing on the National Register of Historic Sites.
- V.D.6. The City shall support the efforts of property owners to preserve and renovate historic and architecturally significant structures. Where such buildings cannot be preserved intact, the City shall seek to preserve the building facades.
- V.D.7. Structures of historical, cultural, or architectural merit which are proposed for demolition shall be considered for relocation as a means of preservation. Relocation within the same neighborhood or to another compatible neighborhood shall be encouraged.
- V.D.8. The City shall continue to support the activities and programs of the Newman Museum.

### **3. Impacts**

Development and redevelopment in the city could result in the demolition or alteration of locally-important historic buildings. The *General Plan* includes policies to preserve historic and architecturally-significant sites from development and redevelopment. The impacts on historic resources are therefore deemed to be less-than-significant.

### **4. Mitigation Measures**

None required.

## **D. ARCHAEOLOGICAL RESOURCES**

The Central California Information Center of the California Archeological Inventory completed a records search for the Newman Study Area in May 1990. The Study Area, defined in the *Background Report*, encompasses land beyond the Planning Area. The search revealed one recorded cultural resource in the eastern part of the Study Area. To date, however, only two other cultural resource investigations have taken place in the Study Area. Given the lack of survey data within the Study Area, it is difficult to assess the potential impacts on cultural resources.

Areas that are considered sensitive (i.e., likely to have archaeological or historic cultural resources) are often located near natural watercourses, springs or ponds, and on elevated ground. Many archaeological sites in the Central Valley have been buried by silt and might not be evident by surface surveys. The channels of natural watercourses change over the years and springs dry up, therefore, archaeological sites may be found in areas that are distant from present sources of water.

### **1. Implications of the General Plan Land Use Diagram**

Excavation in conjunction with new construction or placement of underground utilities could disrupt, damage, or completely destroy buried items of archaeological significance. Likewise, new structures could be placed unknowingly over buried archaeological features, thus making discovery, identification, and ultimate preservation unlikely. Farming activities may have already destroyed surface signs of archaeological sites.

## 2. General Plan Policy Response

The *General Plan* contains the following policies to protect archaeological resources in the city:

- V.E.1. The City shall refer development proposals that may adversely affect archaeological sites to the Central California Information Center of the California Archaeological Inventory for review and comment.
- V.E.2. The City shall not knowingly approve any public or private project that may adversely affect an archaeological site without first consulting the Central California Information Center of the California Archaeological Inventory, conducting a site evaluation as may be indicated, and attempting to mitigate any adverse impacts according to the recommendations of a qualified archaeologist. City implementation of this policy shall be guided by Appendix K of the State *CEQA Guidelines*.

## 3. Impacts

The *General Plan* includes policies to protect archaeological resources from disruption by new development. The impacts of the *General Plan* on archaeological resources are therefore deemed to be less-than-significant.

## 4. Mitigation Measures

None required.





## CHAPTER VII

### NATURAL RESOURCES

#### A. INTRODUCTION

This chapter assesses the impacts of the *General Plan* on water resources, soil and agricultural resources, biological resources, and air quality. Existing natural resource conditions are described in Chapter VIII of the *General Plan Background Report*.

#### B. WATER RESOURCES

Important water resources in and near the Planning Area include the San Joaquin River, the Central California Irrigation District (CCID) main canal, the Newman Wasteway, and the local groundwater basin. The City of Newman discharges wastewater and stormwater from its drainage system into a series of ditches that eventually flow to the San Joaquin River. The CCID main canal is used for agricultural irrigation. Groundwater is the sole source of Newman's domestic water supply.

##### 1. Implications of the General Plan

Development under the *General Plan* would affect both surface and groundwater resources. The following paragraphs discuss the effects of development on water resources in the area.

##### Surface Water

Development under the *General Plan* would greatly increase the population and urban character of Newman. New development in and around Newman could result in three types of surface water resource effects: changes in surface water quality in the San Joaquin River, increased demand for a potable surface water supply, and reductions in demand for raw irrigation water supply.

Urban development on agricultural lands surrounding Newman would result in a physical change from highly permeable agricultural soils to relatively impermeable building foundations, and street and parking lot pavement. As development proceeds, urban runoff to the City's drainage system would increase, replacing normal infiltration of storm and irrigation water to the groundwater basin.

Several interrelated water resource impacts would accompany development of agricultural lands surrounding Newman. Short-term increases in pollutant discharges from construction and grading could temporarily increase sediment, cement, oil and solvent pollutants that could be discharged to the current drainage system and the San Joaquin River.

Development under the *General Plan* could also result in a long-term increase of urban pollutants in storm water discharges. Runoff from streets, parking lots, industrial sites, and landscaped areas typically contain oil, grease, heavy metals, pesticides, fertilizers and sediment. Discharges of pollutants associated with agricultural production, such as herbicides, insecticides, fertilizers, oil, and sediment would decline as agricultural operations are phased out and replaced by urban uses. Thus, the adverse effects of runoff produced by urbanization of agricultural lands would be partially offset by a decline in agricultural pollutants.

Treated wastewater would no longer be discharged to the San Joaquin River upon completion of the City's wastewater treatment plant expansion.

## Groundwater

Converting farmlands to urban uses would change the type of pollutants that could percolate or be leached to the groundwater basin. Development under the *General Plan* would reduce infiltration of agricultural chemicals and pesticides to the groundwater basin within the Planning Area. Urban pollutants, however, could also contribute to contamination of the groundwater basin, especially in areas proposed for industrial development. Industrial uses typically produce a variety of by-products, discussed above, that if not disposed of correctly can contaminate soils and be leached to the groundwater basin.

The increase in impermeable surfaces, elimination of surface water irrigation, and expansion of Newman's stormwater drainage system would reduce the amount of water that is allowed to percolate to the groundwater basin. The Central California Irrigation District and City of Newman recently completed a draft study on groundwater quality and quantity in the Newman vicinity. The conclusions of the draft study are summarized in the water section of Chapter VI, "Public Facilities and Services." The draft study also concluded that because of the extensive nature of the fine-grained deposits that overlie the permeable, coarse-grained strata of the upper and lower aquifers, intentional recharge by basins or ponds is considered infeasible. Although recharge by injection wells is possible, the water to be injected successfully normally needs to be free of suspended solids and sterilized, which would be costly. Implementation of water conservation measures to minimize pumping in the urban area would help minimize drawdowns due to urban pumpage. When new wells are drilled, they should be spaced as far as possible from existing wells in order to minimize drawdowns. Development of well spacing criteria for future large capacity wells would be highly beneficial.

## 2. General Plan Policy Response

The *General Plan* incorporates the following policies to address the possible effects of urban development on water resources:

- VI.A.1. The City shall prohibit the establishment of any new septic systems within areas where City sewer and water service will be available in the foreseeable future, and will seek to eliminate the use of existing septic systems in the city.
- VI.A.2. In reviewing major new development proposals, the City shall consider the project's potential for adversely affecting water quality in the San Joaquin River and the area's groundwater.
- VI.A.3. The City shall regularly monitor water quality in City wells for evidence of toxics and other contaminants.
- VI.A.4. The City shall utilize the CEQA process to identify and avoid or mitigate potential groundwater pollution problems resulting from new commercial and industrial development.
- VI.A.5. The City shall support efforts at the county, regional, and state levels to reduce runoff of toxic agricultural chemicals into the area's watercourses.

- VI.A.6. Prior to project approval, the City shall require developers to prepare and implement a soil erosion and sediment control plan that includes features such as mitigation of sediment runoff beyond project boundaries and revegetation and stabilization of disturbed soils.
- IV.B.1. The City shall continue to use groundwater as the principal source of domestic water for the foreseeable future. The City shall also investigate acquisition of surface water rights from the Central California Irrigation District and other sources in order to decrease the city's dependence on groundwater.
- IV.B.6. To minimize the need for the development of new water sources and facilities and to minimize sewer treatment needs, the City shall promote water conservation both in City operations and in private development. The City shall require water-conserving water fixtures in all new development.
- IV.B.7. The City shall require the use of drought-tolerant plant species and drip irrigation systems in the landscaping of new public and private open space areas, common areas, and parks.
- IV.B.8. The City shall promote the use of reclaimed water and treated sewage effluent for public and private landscape maintenance and agricultural irrigation.
- IV.C.1. The City shall expand and develop sewage collection and treatment facilities to accommodate the needs of existing and planned development.
- IV.D.2. Future drainage system discharges shall comply with applicable state and federal pollutant discharge requirements.

The Central Valley Regional Water Quality Control Board also regulates discharges to surface water and groundwater in and around Newman.

### 3. Impacts

Agricultural land conversion resulting from development under the *General Plan* would eventually eliminate groundwater infiltration of agricultural contaminants in the Planning Area, resulting in a partial tradeoff between urban and agricultural water quality effects. The *General Plan* includes numerous policies that are designed to reduce water quality effects, therefore this impact is considered less-than-significant. The specific water quality effects of future development shall also be addressed on a case-by-case basis.

### 4. Mitigation Measures

None required.

## C. SOILS AND AGRICULTURE

The portion of the Planning Area outside the existing city limits encompasses over 3,670 acres of land used primarily for production of agricultural products. The agricultural land accounts for over 80 percent of the existing land use in the Planning Area. Past production of agricultural lands in the Planning Area have included dry beans, alfalfa, almonds, walnuts, tomatoes, corn, and a variety of grain crops. A



considerable portion of the eastern Planning Area is used for pasture land. Most of the soils in the Planning Area are Class I and II according to the U.S. Soil Conservation Service land capability classification system.

## 1. Implications of the General Plan

### Soils

Development under the *General Plan* would result in conversion of a substantial amount of high quality agricultural soils to urban uses. High quality agricultural soils are also found in a portion of the Planning Area that has been designated for urban and industrial reserve, to be developed beyond 2010. As indicated above, most of the soils have been classified as Class I and II soils by the U.S Soil Conservation Service. The important farmland inventory (IFI) prepared by the California Department of Conservation, Division of Land Resource Protection, generally designates agricultural lands with Class I and II soils as prime farmland. Therefore, most of the soils within the Planning Area are potentially prime. Table VII-1 shows the relationship between SCS land capability classifications and agricultural suitability.

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TABLE VII-1

#### SOIL CONSERVATION SERVICE LAND CAPABILITY CLASSIFICATIONS

Class I	Soils that have few limitations that restrict their use.
Class II	Soils that have some limitations that reduce the choice of plants or that require special conservation practices, or both.
Class III	Soils which have severe limitations that reduce the choice of plants, require special conservation practices, or both.
Class IV	Soils that have very severe limitations that reduce the choice of plants, require very careful management, or both.
Class V	Soils that are not likely to erode but have other limitations, impractical to remove, that limit their use largely to pasture, range, woodland, or wildlife habitat.
Class VI	Soils that have severe limitations that make them generally unsuitable to cultivation and limit their use largely to pasture, range, woodland, or wildlife habitat.
Class VII	Soils that have very severe limitations that make them unsuited to cultivation and restrict their use largely to pasture, range, woodland, or wildlife habitat.
Class VIII	Soils and landforms that have limitations that preclude their use for commercial plants and restrict their use to recreation, wildlife habitat, water supply, or aesthetic purposes.

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Development under the *General Plan* could also cause a temporary increases in soil erosion from grading and construction activities associated with land development. Because soils in the Planning Area generally exhibit low erosion potential and because construction effects on erosion would be temporary, buildout of the *General Plan* would probably create only minor erosion hazards.

## Agriculture

As urbanization of the Planning Area agricultural lands proceed through buildout, land use conflicts between residential and commercial uses and agricultural operations could increase. The planned mixed residential area that would surround the existing city limits on the north, south, and west would be immediately adjacent to land used for agricultural production, with little buffer space to separate these uses. Adverse effects on new urban residents and businesses from nearby farming could include increased nuisances such as noise, odors, and dust, and health and safety concerns such as pesticide exposure and hazardous situations related to farm equipment.

Urban encroachment into agricultural areas could also create land use conflicts that impede efficient farming operations. Urban encroachment could make pesticide application and burning activities more difficult because of their potential affects on nearby urban residents. Farm production costs could increase because of increased land costs, more difficult operating procedures near urban areas, possible theft and vandalism of farming equipment, crop pilferage, and personal injury liability associated with farm trespass violations.

These possible adverse affects on agricultural operations from urban encroachment could result in reduced profitability for some farming operations that could contribute to more rapid conversion of agricultural land on parcels near urban developments.

The amount of croplands that would be converted to urban uses under the *General Plan* and the corresponding gross production values by estimated crop type are shown in Table VII-2. This order-of-magnitude estimate of the gross crop production value that would be lost at buildout of the *General Plan* would amount to less than one percent of Stanislaus County's 1991 gross farm production. The initial value of an area's farm product also has a multiplier effect in the areawide economy, by generating related economic activities such as food processing, retail and whole sale trade, and transport functions.

TABLE VII-2

## MAJOR CROPLAND ACREAGE AND GROSS CROP VALUES

Crop Type	Acres*	Value in \$/Acre	Gross Value
Beans	1,140	791	\$901,740
Tomatoes	181	2,655	480,555
Almonds	152	1,580	240,370
Walnuts	215	1,535	330,025
Alfalfa	575	765	439,875
Mixed Pasture	553	150	82,950
Corn	67	439	29,400
Sugar Beets	79	1,170	92,430
Sudan	10	235	2,350
<b>Total</b>		<b>2,972</b>	<b>\$2,599,695</b>

\*Crop acreages based on 1988 DWR land use map for Newman and vicinity.

Source: California Department of Water Resources 1988 and Stanislaus County Department of Agriculture 1991.

Buildout of the *General Plan* would also require the cancellation or expiration of Williamson Act contracts on approximately 1,100 acres agricultural preserve lands. The location of Williamson Act lands within the Planning Area is shown in the *General Plan Background Report*.

## 2. General Plan Policy Response

The *General Plan* includes the following policies to minimize the impacts of development on agricultural lands and agricultural production.

- VI.B.1. The City shall support the continuation of agricultural uses on lands designated for urban uses until urban development is imminent.
- VI.B.2. The City shall encourage the County to retain agricultural uses on lands surrounding Newman pending their annexation to the city.
- VI.B.3. The City shall minimize creation of urban land use patterns such as peninsulas that would adversely affect the viability of adjacent agricultural lands.
- VI.B.4. The City shall encourage the use of buffers to minimize conflicts between urban and agricultural uses. Such buffer mechanisms can include land uses, density controls and transfers, and roadways, and shall be subject to review on a case-by-case basis for projects proposed adjacent to agricultural land.



- VI.B.5. The City shall allow and encourage activities that support local agriculture such as farmers' markets, on-site sale of produce, and special events promoting local agricultural products.
- VI.B.6. The City shall adopt a right-to-farm ordinance that protects owners of agricultural land at the urban fringe from unwarranted nuisance suits brought by surrounding landowners and provides for resolution of urban-agricultural disputes.

### 3. Impacts

Buildout of the *General Plan* would result in conversion of nearly 3,000 acres of productive agricultural land to urban uses. Development on these lands would also result in loss of a substantial amount of field, row, and orchard crops and irrigated pasture land that could reduce the county's annual crop production by approximately \$2.6 million. Even considering the policies proposed to reduce the effects of the *General Plan* on agriculture, this irretrievable commitment of agricultural soils and loss of crop land is considered a significant adverse impact that cannot be completely mitigated.

Development under the *General Plan* would involve the nonrenewal or cancellation of Williamson Act contracts. Cancellation of Williamson Act contracts would be considered a significant adverse impact. Although the policies in the *General Plan* would help to control the rate and pattern of Williamson Act contract cancellation, this is still considered a significant impact.

Development under the *General Plan* could result in a temporary and minor increases in soil erosion at grading and construction sites. Because the erosion hazard of soils in the Planning Area is low this impact is considered less-than-significant.

Land use conflicts resulting from encroachment of urban development into agricultural areas could result in a variety of nuisances for new residential and commercial uses, and could result in a reduction in operational efficiency and profitability of nearby agricultural lands. This impact is considered less-than-significant because the *General Plan* policies for agricultural resources proposes adoption of a right-to-farm ordinance to reduce urban/agricultural conflicts.

### 4. Mitigation Measures

The loss of agricultural lands through urbanization is considered a significant impact. This impact cannot be mitigated to a less-than-significant level without removing this land from the Planning Area or by designating it for agricultural uses. The City could implement measures to reduce impacts on agricultural lands as the city grows, such as growth management. The loss of agricultural lands, however, would still be considered a significant adverse impact.

## D. BIOLOGICAL RESOURCES

The majority of vegetation and wildlife resources in the Planning Area occur in altered habitats on agricultural and pasture land. Natural habitats constitute only a small portion of the Planning Area. Valley grassland vegetation is scattered throughout the Planning Area with concentrations of this vegetation in the northeastern Planning Area reaches. Potential wetland vegetation occurs south and east of the Planning Area boundary and Canal School Road.

Altered habitats include cultivated agricultural fields, orchards, pasture land and rural residential areas. Although most of the Planning Area has been altered from its natural condition, the areas still be valuable to some wildlife.

Chapter VIII of the *General Plan Background Report* provides a description of the Planning Area habitat types and special status plant and animal species known to occur or that could potentially occur in the Planning Area.

### **1. Implications of the General Plan Land Use Diagram**

Development under the *General Plan* could directly and indirectly affect biological resources. These resources could be directly affected in the following ways:

- Conversion of natural and altered habitat areas to urban uses and the subsequent loss of the remaining wildlife habitats or uncommon plant communities,
- Reduction in the number of special-status plant and wildlife species and populations and the extent of their habitats, and
- Vegetation removal for canal maintenance.

Increased human population density and the potential for disturbance and degradation of natural habitats and species can also indirectly affect biological resources in and near the Newman Planning Area.

### **Development in Habitat Areas**

Development under the *General Plan Land Use Diagram* has the potential to disrupt or eliminate the remaining important natural and altered habitats in the Newman Planning Area. These habitat areas are important because they could support special-status plant and animal species and locally or regionally uncommon plants and animals that are threatened with continued loss.

#### Valley Grasslands

A relatively small amount of valley grassland habitat exists primarily in the northeastern part of Planning Area near the Newman wastewater treatment facilities and to a lesser extent at scattered locations throughout the Planning Area. Most of these areas have been used for grazing and other agricultural purposes, but some natural swales and topography are still evident. A larger area containing valley grassland habitat is located adjacent to the Planning Area to the northeast. Development under the *Land Use Diagram* could disturb or eliminate the remaining scattered valley grassland habitat in areas proposed for planned mixed residential and low density residential development. Valley grasslands near the wastewater treatment plant could also be lost because of the proposed treatment plant expansion project that would occur in areas designated public-quasi-public and industrial reserve. Loss of this remaining habitat could adversely affect a wide variety of birds, mammals, and reptiles.

#### Agricultural Areas

Most of the Planning Area is dedicated to agricultural fields, pasture land, and orchards. Despite their intensive management and lack of natural vegetation, agricultural areas provide nesting and foraging habitat for some wildlife species. Loss of agricultural areas surrounding Newman could substantially



reduce the foraging habitat for raptors and waterfowl, and could also eliminate or degrade raptor roosting and potential nesting areas along Swamp Rats Road.

The southwestern portion of the Planning Area designated as Urban Reserve on the *Land Use Diagram* also contains potential San Joaquin kit fox denning habitat near the Newman wasteway. Because the Urban Reserve designation would preserve the agricultural uses in this area through the time frame of the *General Plan*, development under the *Land Use Diagram* would have little effect on this potential kit fox habitat.

### Canal Channels

The canal channels of the Newman Wasteway, immediately south of the Planning Area, the CCID canal, and other minor irrigation canals in the Planning Area provide open water and freshwater marsh vegetation that is habitat for numerous wildlife species. Development under the *Land Use Diagram* would probably involve elimination or disruption of many of the minor irrigation ditches. The CCID canal right-of-way would be unaffected by residential development proposed in the northwestern portion of the Planning Area, although nearby encroachment of urban development may reduce the value of canal habitat for wildlife.

### Wetland Vegetation

An approximately 55-acre natural wetland area is located southeast of Newman between the Planning Area boundary and the Newman Wasteway. Development under the *Land Use Diagram* would not directly convert or alter any portion of this wetland area because it is located outside the Planning Area. However, because the wetland would be immediately adjacent to land designated for heavy industrial development, the potential exists for possible adverse impacts from contaminated surface runoff to the wetland area, or of future groundwater contamination at industrial sites that migrate through the aquifer to the wetland area. Industrial and urban pollutants that could be transmitted to surface runoff and groundwater are discussed above under "Water Resources". If industrial pollutants were released to the wetland area the result could be loss of wetland vegetation and degradation of wildlife habitat as discussed in the *General Plan Background Report*.

### **Conversion or Elimination of Habitat for Special-Status Species**

None of the special-status plants identified in the *General Plan Background Report* are known to occur in the Planning Area. The Planning Area is within the range of the Delta coyote-thistle, diamond-petaled California poppy, bearded allocarya, and hispid bird's beak but does not contain habitat that is known to support these species.

Breeding or foraging habitat of six special-status wildlife species could be adversely affected or lost from development allowed under the *General Plan Land Use Diagram*: the Swainson's hawk, burrowing owl, golden eagle, northern harrier, San Joaquin kit fox, and giant garter snake. Each of these species could suffer direct habitat loss from development under the *General Plan Land Use Diagram*.

The Planning Area is also located within the range of various other special-status species including the Aleutian Canada goose, greater sandhill crane, western yellow-billed cuckoo, tricolored blackbird, blunt-nosed leopard lizard, Coopers hawk, sharp-shinned hawk, merlin, and short-eared owl. These species would probably not be affected by development in the Planning Area because site conditions and habitat



are either not conducive to the presence of these species or the amounts of habitat lost to urbanization would not be substantial.

Swainson's Hawk: Although the Planning Area has little potential as breeding habitat because of the lack of riparian forest habitat, development under the *General Plan* would result in loss of a substantial amount of agricultural land, much of which is suitable Swainson's hawk foraging habitat.

The Swainson's hawk population in California has declined by an estimated 90 percent (Bloom 1980). Historically, this species foraged in the large, open, grasslands of the Central Valley. The primary cause of species decline has been loss of nesting and foraging habitat because of conversion of natural habitats to agricultural uses. More recently, Swainson's hawk nesting and foraging habitat are lost when suitable agricultural areas are converted to urban uses. The loss of agricultural fields that would occur as a result of development under the *Land Use Diagram* could adversely affect breeding pairs of Swainson's hawks known to nest along the San Joaquin and Merced Rivers, by removing nearby foraging habitat, and would contribute to the cumulative loss of Swainson's hawk foraging habitat regionally. Foraging habitat losses could contribute to further decline of Swainson's hawk populations. No affect on Swainson's hawk breeding habitat would occur.

Burrowing Owl: Because development under the *Land Use Diagram* could involve direct alteration of irrigation ditches and canals in the Planning Area, potential burrowing owl breeding habitat may be lost. Potential breeding habitat along the Newman Wasteway would likely not be affected because the *Land Use Diagram* does not proposed to alter the Wasteway and adjacent Planning Area uses would remain unaltered in the Urban Reserve designation through the 2010 time frame of the *General Plan*.

Golden Eagle: Heavy industrial development proposed under the *Land Use Diagram* could eliminate a portion of the raptor roosting and potential nesting area located within the Planning Area at Swamp Rats Road, and would eliminate agricultural land that is used as foraging habitat by the golden eagle.

San Joaquin Kit Fox: Although no San Joaquin kit fox were observed in the Planning Area, kit fox have been observed at the Kesterson Wildlife Refuge approximately three miles southeast of the Planning Area. Potential habitat for this species exists along the banks of the Newman Wasteway, in some agricultural fields, and along other canals in the Planning Area. Because the portion of the Planning Area that is adjacent to the Newman Wasteway would be designated Urban Reserve, no loss of San Joaquin kit fox habitat would be expected in these areas during the time frame of the *General Plan*.

Loss of agricultural land could be considered kit fox habitat if kit fox are observed in these areas. Although not typical, San Joaquin kit fox have been observed denning in a walnut orchard and adjacent to an alfalfa field in the San Joaquin Valley (Rempel pers. comm.).

Giant Garter Snake: This species, which is state-listed as threatened and a candidate for federal listing has moderate potential for occurring in the Planning Area along the Newman Wasteway and in other canals or irrigation ditches. No giant garter snakes were observed during the field survey; however, because the giant garter snake is known to occur in drainage canals and adjacent grassy, open areas, development of these habitats has the potential to be detrimental to this species.

## 2. General Plan Policy Response

The *General Plan* includes the following policies to minimize the impacts of development on biological resources.

- VI.C.1. The City shall require site-specific surveys to identify significant wildlife habitat and vegetation resources for development projects located in or near sensitive habitat areas.
- VI.C.2. The City shall support and participate in local and regional attempts to restore and maintain viable habitat for endangered plant and animal species. To this end, the City shall work with surrounding jurisdictions and state and federal agencies in developing a regional *Habitat Management Plan*. Such plan shall provide data for the Newman area on special-status species, including Swainson's Hawk, and shall provide guidelines and standards for mitigation of impacts on special-status species.
- VI.C.3. The City shall require mitigation of potential impacts on special-status plant and animal species based on a policy of no-net-loss of habitat value. Mitigation measures shall incorporate, as the City deems appropriate, the guidelines and recommendations of the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Implementation of this policy may include a requirement that project proponents enter into an agreement with the City satisfactory to the City Attorney to ensure that the proposed projects will be subject to a City fee ordinance to be adopted consistent with the regional *Habitat Management Plan*.
- VI.C.4. The City shall promote the use of native plants, especially valley oaks, for landscaping roadsides, parks, and private properties.
- VI.C.5. Parks, drainage detention areas, and other open space uses shall incorporate, where feasible, areas of native vegetation and wildlife habitat.
- VI.C.6. The City shall support state and federal laws and policies to preserve populations of rare, threatened, and endangered species by ensuring that development does not adversely affect such species or by fully mitigating adverse effects.

### 3. Impacts

The Planning Area habitat value is represented primarily by agricultural land. The natural habitat value of this area is relatively low. Relatively minor amounts of valley grassland habitat and habitat along drainage canals may be directly altered or eliminated as a result of buildout of the *General Plan*, but would, alone, be considered negligible regional habitat losses. In addition, the *General Plan* indicate that the City of Newman will participate in efforts to restore and maintain viable habitat for special-status plant and animal species. The impact of the *General Plan* on natural habitats is, therefore, considered less-than-significant.

Similarly, because no special-status plant species are known to occur in the Planning Area, and because the *General Plan* provides policies to preserve rare, threatened, and endangered species within the Planning Area, the impacts of the *General Plan* on special-status plant species is considered less-than-significant.

CEQA findings for special-status wildlife species that could potentially be affected by implementation of the *General Plan* are discussed individually.

Swainson's Hawk: Development under the *General Plan* could have an effect on the Swainson's hawk, a state-listed threatened species. Losses of agricultural land within the Planning Area, much of which could serve as foraging habitat for the Swainson's hawk, could impact this species as it has been observed



foraging north of the Planning Area during the field survey and at least six nest sites are known to exist within four miles of the Planning Area. One or more of these breeding pairs may rely on agricultural foraging habitat within the Planning Area to successfully reproduce. Because the *General Plan* contains policies establishing the City's support for protecting special-status species and the Swainson's Hawk in particular, this impact is considered less than significant.

Burrowing Owl: Loss of potential burrowing owl habitat along drainage canals that could be developed under the *General Plan* is considered a less-than-significant impact, because no burrowing owls were observed in the Planning Area, and because the *General Plan* includes policies intended to preserve special-status species, should they exist in the Planning Area.

Golden Eagle: Development under the *General Plan* could result in loss of a portion of the potential golden eagle roosting area along Swamp Rats Road, and could eliminate some agricultural fields that provide foraging habitat for this species. This impact is considered less-than-significant, however, because of the relatively minor breeding and foraging value that land in and around Newman has for the golden eagle, and because only a portion of the raptor roosting area along Swamp Rats Road could potentially be affected by development under the *General Plan*. The *General Plan* also includes policies intended to protect special-status species.

Northern Harrier: Development under the *General Plan* could adversely affect northern harriers that may roost or forage in the Planning Area. This impact is considered less-than-significant because of the limited habitat value for northern harriers in the Planning Area, and because the *General Plan* provides policies that would generally protect special-status species.

San Joaquin Kit Fox: The impact of the *General Plan* on potential kit fox habitat in the Planning Area is considered less-than-significant because potential kit fox habitat is located in an area designated as Urban Reserve and would not be developed until after 2010.

The U.S Fish and Wildlife Service and DFG have stated that orchards and other agricultural lands may provide habitat for the kit fox under special conditions (Rempel and Simons pers comms.). Development under the *General Plan* could convert a considerable amount of orchard and other agricultural land to urban uses. This potential impact is considered less-than-significant because orchards and agricultural fields are not considered typical San Joaquin kit fox habitat, and because the *General Plan* contains policies that would require site specific surveys for all development projects, and would require protection of all special-status species.

Giant Garter Snake: Loss of potential giant garter snake habitat in and along drainage canals that could be developed under the *General Plan* is considered a less-than-significant impact, because no giant garter snakes were observed in the Planning Area, and because the *General Plan* includes policies intended to preserve special-status species, should they exist in the Planning Area.

#### 4. Mitigation Measures

None required.



## E. AIR QUALITY

Stanislaus County is one of the eight counties within the San Joaquin Valley Air Basin. This entire air basin has been designated a nonattainment area for both particulate matter (PM<sub>10</sub>) and ozone. Newman does not have localized carbon monoxide problems. Detailed information regarding air quality conditions in the Planning Area is included in Chapter VIII of the *General Plan Background Report*.

The new California Clean Air Act (AB 2595) has substantially added to the authority and responsibilities of air pollution control districts (APCD). In March 1991, the eight counties formed the San Joaquin Unified Air Pollution Control District (SJUAPCD), replacing the local county air pollution control districts.

### 1. Implications of the General Plan Land Use Diagram

Development under the *General Plan* would contribute to the reduction of both local and regional air quality. Both direct and indirect air quality effects would result from new development within the Newman Planning Area. Direct effects result from stationary source emissions such as industry stacks, chimneys, vents, and fume hoods. Indirect effects result from increased automobile traffic generated by new development.

#### Effects on Local Air Quality Problems

The localized air quality pollutant of greatest concern in Newman is carbon monoxide (CO), much of which is produced by automobile emissions. Violations of state and federal CO standards are normally associated with poor operating conditions at congested intersections and road segments. Traffic at intersections of surface streets and Highway 33 would likely create the greatest localized CO concentrations in Newman. With development under the *Land Use Diagram*, the traffic congestion on the circulation system and the number of carbon monoxide-producing uses would increase.

#### Effects on Regional Air Quality

Ozone: The growth associated with the *General Plan* would contribute to regional ozone pollutant levels by creating new sources of ozone precursor emissions.

Ozone is primarily a summer and fall pollution problem, created by a complex series of chemical reactions involving other components that are directly emitted, the most important of which are reactive organic gases (ROG) and various oxides of nitrogen (NO<sub>x</sub>). The process required for ozone formation allows the reacting compounds to be spread over large areas and to produce ozone problems miles downwind from the pollutant source. Because the San Joaquin Valley Air Basin is a nonattainment area for ozone, new sources of ROG and NO<sub>x</sub> could contribute to continued nonattainment of the ozone standards.

Vehicle trip growth associated with development under the *General Plan Land Use Diagram* would be a primary contributor to increased ozone precursor emissions in Newman. Development would also increase regional emissions by creating new area pollutant sources and stationary sources. Residential development is often considered an area source because residential areas typically have a variety of dispersed and intermittent sources, such as space and water heaters, household paints and solvents, fireplaces and woodstoves, lawn mowers, and other gas operated equipment.

The *General Plan* also proposes a substantial amount of commercial and industrial designated land. These nonresidential land uses can, depending on the industry or commercial use, substantially increase stationary source emissions. Industrial emissions result from a variety of processes that can include toxic air pollutants. Commercial emissions can be produced by cooking equipment, boilers, and dry cleaning equipment.

Residential, commercial, and industrial development that could be allowed under the *General Plan* could substantially increase the amount of stationary source emissions. New stationary sources would be required to obtain a permit from the Stanislaus County APCD prior to construction and operation.

PM10: Fine airborne particulate matter, known as PM10, is a major contributor to local and regional air quality conditions in Stanislaus County. Most of the San Joaquin Valley's eight counties violate federal and state PM10 standards. The California Air Resources Board (ARB) estimates that agricultural operations account for a substantial portion of all the PM10 generated in Stanislaus County. Because development under the *General Plan* would create only temporary soil disturbance during project construction and because conversion of agricultural land would reduce farming operations, PM10 emissions within the Planning Area are expected to decline.

## 2. General Plan Policy Response

The *General Plan* contains policies intended to help reduce air quality impacts of future development. The effectiveness of these policies depend on how policies are implemented and how consistently and aggressively they are applied to future development as it is proposed.

The *General Plan* includes the following policies:

- VI.D.1. The City shall work with the San Joaquin Valley Unified Air Pollution Control District in an effort to ensure the earliest practicable attainment and subsequent maintenance of federal and state ambient air quality standards.
- VI.D.2. The City shall utilize the CEQA process to identify and avoid or mitigate potentially significant air quality impacts of new development. The CEQA process shall also be utilized to ensure early consultation with the San Joaquin Unified Air Pollution Control District concerning air quality issues associated with specific development proposals.
- VI.D.3. The City should coordinate development project reviews with the San Joaquin Unified Air Pollution Control District in order to minimize future increases in vehicle travel and to assist in implementing appropriate indirect source regulations adopted by the Air Pollution Control District.
- VI.D.4. The City shall notify and coordinate with the San Joaquin Unified Air Pollution Control District when industrial developments are proposed. Such coordination will assist applicants in complying with applicable air quality regulations and will assist the City in promptly identifying and resolving potential air quality problems.
- VI.D.5. Major intersections shall be designed to minimize long vehicle delays which result in unhealthy concentrations of carbon monoxide (CO).



- VI.D.6. The City shall, to the extent practicable, separate sensitive land uses from significant sources of air pollutants or odor emissions.
- VI.D.7. The City shall promote expansion of employment opportunities within Newman to reduce commuting to areas outside Newman.
- VI.D.8. The City shall actively promote ridesharing for Newman residents commuting to employment centers outside the city and shall promote the use of transit services.

The Transportation and Circulation section of the *General Plan* also provides goals and policies that promote use of transit systems, increased efficiency in automobile use, efficient transportation system design, and pedestrian and bicycle travel.

### 3. Impacts

Carbon Monoxide: Development under the *General Plan* would increase localized CO concentrations along the existing and proposed circulation system and intersections in Newman. The transportation and circulation analysis of this *EIR*, indicates that, overall, roadway segments throughout Newman would operate at acceptable levels with little traffic congestion. Several road segments would, however, operate at LOS D or worse under buildout conditions. The potential for localized CO concentrations that would create unhealthy air quality conditions in the Planning Area is considered less-than-significant because, overall, the circulation system would operate under acceptable LOS conditions and because the *General Plan* includes a policy that would require design of intersections to minimize traffic congestion that could result in unhealthy CO concentrations.

Ozone: Mobile source emissions resulting from development under the *Land Use Diagram* were estimated using the URBEMIS3 model developed by the ARB. URBEMIS3 estimates the emissions that would result from projected land uses. A list of model assumptions are included in Appendix E.

Table VII-3 lists the estimated daily increase in emissions of TOG, CO, NO<sub>x</sub>, PM<sub>10</sub>, and SO<sub>x</sub>. ROG emissions represent approximately 92 percent of the total organic gases (TOG) shown in Table VII-3.

The increase in ozone precursor emissions under the *General Plan* would be substantial and would contribute to a continued ozone nonattainment condition in Stanislaus County and the San Joaquin Valley Air Basin. Because the air basin is already a nonattainment area for ozone, any new development in the region would contribute to further delay in attaining the federal and state standards. This impact is considered a significant impact that cannot be fully mitigated to a less-than-significant level even with the air quality policies included in the *General Plan*.

PM<sub>10</sub>: Conversion of agricultural land to urban uses would generally result in a reduction in the amount of PM<sub>10</sub> emissions in the Newman Planning Area. This impact is considered less-than-significant.

### 4. Mitigation Measures

No mitigation measures are available to reduce the impact of increased ozone precursor emissions to a less-than-significant level. Implementation of the *General Plan* policies could, however, partially reduce this impact.



TABLE VII-3

**REGIONAL VEHICULAR AND RESIDENTIAL EMISSIONS**  
**From Development Under the General Plan**  
**(in Pounds per Day)**

Land Use	TOG	CO	NOx	PM10	SOx
Composite Residential (Single and Multi-family)	611.3	6,336.2	1,154.8	104.5	122.6
General Commercial	65.3	652.9	115.2	109.4	12.2
Downtown	220.1	2,181.5	390.6	231.7	41.5
Light Industrial	54.9	548.5	96.8	91.9	10.3
Industrial Service	10.1	100.8	17.8	16.9	1.9
Heavy Industrial	48.4	483.8	85.4	81.1	9.1
Business Park	43.0	429.6	75.8	72.0	8.1
<b>Total</b>	<b>1,053.1</b>	<b>10,733.3</b>	<b>1,936.4</b>	<b>707.5</b>	<b>205.7</b>

TOG = Total Organic Gases (92 percent ROG)

CO = Carbon Monoxide

PM10 = Particulate matter smaller than 10 microns

NOx = Nitrogen oxides

SOx = Sulfur oxides

Source: Jones & Stokes Associates, 1992

## CHAPTER VIII

### HEALTH AND SAFETY

#### A. INTRODUCTION

This chapter assesses the impacts of the *General Plan* on natural and man-made health and safety issues, including seismic and geologic hazards, flooding hazards, fire, and toxic materials hazards, emergency response, and noise. Existing health and safety issues are described in Chapter IX of the *General Plan Background Report*.

#### B. SEISMIC AND GEOLOGIC HAZARDS

The *General Plan Background Report* provides a generalized description of the seismic and geologic conditions affecting Newman. Included are descriptions of local soil conditions, the proximity and historical activity of nearby faults, and the history and severity of earthquakes in the region. Past studies and evaluations of seismic hazards in the region indicate that Newman is in an area of relatively low seismic activity. The principal geologic and seismic issues affecting the city are liquefaction, seiches, ground shaking, and levee failure caused by earthquakes.

##### 1. Implications of the General Plan Land Use Diagram

Growth and development will not increase the likelihood or severity of geologic and seismic hazards. Additional development will, however, result in the exposure of more people and property to these hazards. Presently, the most significant hazard is to older, unreinforced masonry structures and canal levees which could collapse during strong ground shaking.

Newer structures, while more resistant to ground shaking than older buildings, could suffer damage from shaking or settlement caused by liquefaction. Fire caused by ruptured gas or electrical transmission lines could affect both new and old structures.

##### 2. General Plan Policy Response

The *General Plan* contains the following policies to address potential implications of seismic and geologic hazards:

- VII.A.1. The City shall require preparation of soils reports for all new development. Based on the findings of these reports, the City shall require that any identified soil problems are mitigated in the design and construction of new structures.
- VII.A.2. The City shall require preparation of geotechnical reports for all new major development projects, and for projects proposed in areas where geological hazards may exist. Based on the findings of these reports, the City shall require that new structures are designed and built to withstand the effects of seismically-induced ground failure.
- VII.A.3. Underground utilities, particularly water and natural gas mains, shall be designed to withstand seismic forces in accordance with state requirements.

- VII.A.4. The City shall investigate the establishment of requirements for and may adopt procedures and standards for the abatement of hazardous structures, chimneys, and parapets.
- VII.A.5. Urban development with the boundaries of the Newman Drainage District shall be required to relocate existing District pipelines or provide replacement pipelines to ensure the continued operation of the District's drainage system and to provide for safe soil conditions for the proposed development project.

### 3. Impacts

While not it is not possible to eliminate seismic and geologic hazard entirely, the policies of the *General Plan* provide for development with minimal risks from seismic and geologic hazards. Further, Newman is an area of relatively low seismic risk. The impacts of the *General Plan* for seismic safety are, therefore, considered to be less-than-significant.

### 4. Mitigation Measures

None required.

## C. FLOODING

Most of Newman is subject to shallow flooding from overflow from Orestimba Creek. Because Newman is relatively flat, slow runoff and related drainage problems have always plagued Newman, even during small local rainstorms. Typically, very little structural damage occurs in Newman because flooding is shallow with relatively slow velocities.

A 100-year flood has a one percent probability of occurring in any year. This is considered to be a severe flood, but one with a reasonable possibility of occurrence for purposes of land use planning, property protection, and human safety. The Federal Emergency Management Agency (FEMA) prepares maps showing areas which are likely to flood during a 100-Year flood event. FEMA revised its maps for the Newman and the unincorporated county in 1989 and 1990. The revised maps show a significant portion of the city and Planning Area are within the 100-year floodplain.

### 1. Implications of the General Plan Land Use Diagram

Growth in accordance with the *General Plan* is not expected to significantly increase the likelihood of major flooding; however, development will cause additional people and property to be exposed to this potential hazard. New development, primarily through the creation of additional impervious surfaces and changes in existing drainage patterns, could increase the occurrence of localized flooding during storms. This is discussed more fully in the drainage section of Chapter V, "Public Facilities and Services."

### 2. General Plan Policy Response

The General Plan contains the following policies to address flooding:

- IV.D.1. The City shall expand and develop storm drainage facilities, including storm drains and detention ponds, to accommodate the needs of existing and planned development.



- IV.D.2. Future drainage system discharges shall comply with applicable state and federal pollutant discharge requirements.
- IV.D.3. The City shall maintain a regular program for replacing and upgrading older and undersized storm drains.
- VII.B.1. The City shall continue to participate in the National Flood Insurance Program. To this end, the City shall ensure that its regulations are in full compliance with standards adopted by the Federal Emergency Management Agency.
- VII.B.2. New residential development, including mobilehomes, shall be constructed so that the lowest floor is at least 12 inches above the 100-year flood level.
- VII.B.3. Non-residential development shall be anchored and flood-proofed to prevent damage from the 100-year flood or, alternatively, elevated to at least 12 inches above the 100-year flood level.
- VII.B.4. Existing development shall comply with policies B.2. and B.3. when improvements are made costing at least 50 percent of the estimated current market value of the structure before the improvements.
- VII.B.5. Construction of storm drainage improvements shall be required, as appropriate, to prevent flooding during periods of heavy rainfall.
- VII.B.6. The City shall impose appropriate conditions on grading projects performed during the rainy season to ensure that silt is not conveyed to storm drainage systems.

### **3. Impacts**

While not eliminating the potential for flooding, policies in the *General Plan* provide for minimizing flood hazards in conjunction with new development. The impact of the *General Plan* in terms of flooding hazards are, therefore, considered to be less-than-significant.

### **4. Mitigation Measures**

None required.

## **D. FIRE HAZARDS AND HAZARDOUS MATERIALS**

Newman is subject to both structural and wildland fire hazards, as well as hazards posed by toxic chemicals which are used, produced, or stored at local industries. Certain agricultural chemicals are also hazardous.

Chapter IX of the *General Plan Background Report* discusses structures and areas deemed to be structural or wildland fire hazards.

## 1. Implications of the General Plan Land Use Diagram

Growth and development under the *General Plan* will affect fire and hazardous materials in a number of ways. First, as agricultural and other open areas are developed, the potential for wildland or brush fire will decrease. Also, the use and transport of agricultural chemicals within the community will decrease. Second, as development occurs, more structures and persons will be subject to existing fire and toxic material hazards. Third, new residential, commercial and industrial development will create new potential fire sources. Finally, additional quantities of hazardous materials are likely to be transported to and from these new businesses.

## 2. General Plan Policy Response

The *General Plan Policy Document* contains the following policies which address fire and hazardous materials:

VII.C.1. The City shall require that new development provide all necessary water service, fire hydrants, and roads consistent with the Stanislaus County Fire Warden's standards.

VII.C.2. The City shall ensure that adequate water fire-flows are maintained throughout the city and shall regularly monitor fire-flows to ensure adequacy. New development shall comply with the following minimum fire-flow rates:

Development Category	Gallons Per Minute
Single-Family Residential	1,000
Multi-Family Residential	1,500
Downtown	1,800
Industrial/Other Business Districts	1,800

VII.C.3. The Fire Department shall maintain an ongoing fire and life safety inspection program for all public, commercial, and industrial buildings.

VII.C.4. All new development shall be constructed according to fire safety and structural stability standards contained in the latest adopted *Uniform Fire and Building Codes* and related regulations.

VII.C.5. The City shall require property owners to remove fire hazards, including vegetation, hazardous structures and materials, and debris.

VII.C.6. The City shall ensure that new development provides for adequate fire equipment access and, where appropriate, includes the use of fire-resistant landscaping and building materials.

VII.C.7. The City shall request Pacific Gas & Electric to inventory the old gas mains in the vicinity of the Planning Area, review their condition, and upgrade them as necessary.

VII.C.8. Where deemed necessary based on the history of land use, the City shall require site assessment for hazardous and toxic soil contamination prior to approving development.

In addition, the *Stanislaus County Hazardous Waste Management Plan* provides for the transportation, storage, and disposal of hazardous materials throughout the county.

### 3. Impacts

The *General Plan* includes policies to address fire and hazardous materials in conjunction with new development. The impacts are, therefore, deemed to be less-than-significant.

### 4. Mitigation Measures

None required.

## E. EMERGENCY RESPONSE

The ability of residents, employees and designated City officials to respond to an emergency in an appropriate and timely manner could make a significant difference in the number of lives saved and injuries avoided in the event of a man-made or natural disaster or a military attack.

As described in the previous sections and the *General Plan Background Report*, there is potential for disaster from a number of natural and man-made sources. The City's method of addressing this potential is described in their *Emergency Response Plan*.

### 1. Implications of the General Plan Land Use Diagram

Natural and man-made hazards associated with development under the *General Plan* are described in the preceding sections. Additional impacts which could affect the function of response measures in the *General Plan* include logistical complications brought about by the additional persons and vehicles that would have to be moved in an evacuation. Further, additional development will result in additional structures which could become impediments to travel in an emergency situation, particularly if they cause streets to be blocked.

### 2. General Plan Policy Response

The *General Plan Policy Document* contains the following policies which address emergency response:

- VII.D.1. The City shall adopt, maintain, periodically update, and test the effectiveness of its *Emergency Response Plan*. As part of the periodic update, the City shall review County and State emergency response plans and procedures to ensure coordination with the City's plan.
- VII.D.2. The City shall identify emergency access routes and shall ensure that they are kept free of traffic impediments.
- VII.D.3. Critical emergency response facilities such as fire, police, emergency service facilities, and utilities shall be sited to minimize their exposure to flooding, seismic effects, fire, or explosion.
- VII.D.4. The City shall maintain mutual aid agreements and communications links with surrounding jurisdictions for assistance during times of emergency.



- VII.D.5. The City shall ensure that the design of new neighborhoods will provide for adequate response times and maintain or improve response times in existing neighborhoods.

### 3. Impacts

Continued reliance and update of the *Emergency Response Plan* should ensure that City emergency response procedures are adequate in the event of natural or man-made disasters. This impact is, therefore, considered to be less-than-significant.

### 4. Mitigation Measures

None required.

## F. NOISE

The primary noise sources in the Newman are roadways, the railroad, and industrial facilities. Exposure to excessive noise may interfere with normal speech and sleep activities of city residents. Industry can also be affected by encroachment of noise-sensitive uses.

### 1. Implications of the General Plan Land Use Diagram

The potential for noise conflicts from development under the *General Plan* includes additional and continuing excessive noise from transportation-related noise sources (roadways and railroads). Increased traffic volumes would produce higher noise levels in the vicinity of roadways. Table VIII-1 lists the noise contours projected to result from traffic generated at full buildout of the *General Plan Land Use Diagram* (not including reserve designations) assuming development of the circulation system depicted in the *Circulation Plan Diagram*. Table VIII-1 indicates the distance in feet from the center line of the roadway segments. Within these contours, noise levels are projected to be 60 dB/L<sub>dn</sub> or above. Figure VIII-1 shows the projected future contours for these roadways.







**TABLE VIII-1**  
**NOISE CONTOUR DATA**  
**Distance (Feet) from Center of Roadway to L<sub>dn</sub> Contours**

Roadway Segment	Description	Plan Buildout	
		60 dB	65 dB
State Highway 33:	North of Newman to Yolo Street	159	74
	Yolo Street to Inyo Avenue	354	164
	Inyo Street to Merced County Line	181	84
Inyo Avenue:	West Avenue to Highway 33	59	27
	Highway 33 to L Street	93	43
Kern Street:	Highway 33 to Canal School Road	59	27
Merced Street:	West Avenue to Highway 33	194	90
	Highway 33 to Canal School Road	189	88
P Street:	Yolo Street to Inyo Avenue	77	36
Upper Road:	South of Town to Inyo Avenue	142	66
Yolo Avenue:	Hardin Road to Q Street	108	50
	Q Street to Highway 33	108	50
Draper Road:	Stuhr Road to Hoyer Road	74	34
	Hoyer Road to Hallowell Road	36	17
Stuhr Road:	Draper Road to Harvey Road	118	55
	Harvey Road to Highway 33	104	48
	Highway 33 to Barrington Avenue	90	42
	Barrington Avenue to Hills Ferry Road	74	34
Hallowell Road:	Draper Road to Canal School Road	36	17
Canal School Road:	Hallowell Road to Shiells Road	36	17
	Shiells Road to Inyo Avenue	130	60
	Inyo Avenue to Merced Street	187	87
Shiells Road:	Draper Road to Harvey Road	57	26
	Harvey Road to Upper Road	176	82
	Upper Road to Highway 33	154	72

TABLE VIII-1 (CONTINUED)

**NOISE CONTOUR DATA**  
**Distance (Feet) from Center of Roadway to L<sub>dn</sub> Contours**

Roadway Segment	Description	Plan Buildout	
		60 dB	65 dB
Hoyer Road:	Draper Road to Harvey Road	154	72
	Harvey Road to Upper Road	245	114
Hills Ferry Road:	Merced Street to Jensen Road	280	130
	Jensen Road to Stuhr Road	176	82
Harvey Road:	Hallowell Road to Shiells Road	130	60
	Shiells Road to Hoyer Road	104	48
	Hoyer Road to Orestimba Road	197	91
	Orestimba Road to Stuhr Road	142	66
Road A:*	Shiells Road to Hoyer Road	57	26
	Hoyer Road to Orestimba Road	74	34
Orestimba Road:	Draper Road to Harvey Road	118	55
	Harvey Road to Yolo Street	165	77
Canyon Creek Drive:	Harvey Road to Upper Road	36	17
	Upper Road to Prince Road	104	48
Jensen Road:	CCID Canal to Harvey Road	74	34
	Harvey Road to Fig Lane	197	91
	Fig Lane to Highway 33	226	105
	Highway 33 to McClintock Road	217	101
McClintock Road:	Stuhr Road to Jensen Road	90	42
Swamp Rats Road:	McClintock Road to Hills Ferry Road	217	101
Brazo Road:	Highway 33 to Canal School Road	154	72
Prince Road:	Hallowell Road to Shiells Road	36	17
	Shiells Road to Inyo Avenue	271	126
T Street:	Yolo Street to Inyo Avenue	118	55

TABLE VIII-1 (CONTINUED)

**NOISE CONTOUR DATA**  
**Distance (Feet) from Center of Roadway to L<sub>dn</sub> Contours**

Roadway Segment	Description	Plan Buildout	
		60 dB	65 dB
Fig Lane:	Stuhr Road to Yolo Street	36	17
Q Street:	Jensen Road to Yolo Street	142	31
	Yolo Street to Inyo Avenue	130	28
Road B:*	Stuhr Road to Driskell Road	90	42
Road C:*	Stuhr Road to Jensen Road	36	17
	Jensen Road to Driskell Road	104	48
Road D:*	Stuhr Road to Driskell Road	130	60

\*See Figure VIII-1 for locations of these roadway segments.

Source: Brown-Buntin Associates, 1992



2. General Plan Policy Response

The *General Plan* includes the following policies which address noise-sensitive land uses.

- VII.E.1. New development of noise-sensitive uses shall not be allowed where the noise level due to non-transportation noise sources will exceed the noise level standards of Table II-1 (of the *General Plan Policy Document*), as measured immediately within the property line of the new development, unless effective noise mitigation measures have been incorporated into the development design to achieve the standards specified in Table II-1 (of the *Policy Document*).

TABLE II-1 (of the *General Plan Policy Document*)

NOISE LEVEL PERFORMANCE STANDARDS FOR NEW PROJECTS  
AFFECTED BY OR INCLUDING NON-TRANSPORTATION SOURCES

Noise Level Descriptor	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
Hourly L <sub>eq</sub> , dB	50	45
Maximum level, dB	70	65

Each of the noise levels specified above shall be lowered by five dBA for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

- VII.E.2. Noise created by new proposed non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of Table II-1 (of the *Policy Document*) as measured immediately within the property line of lands designated for noise-sensitive uses. This policy does not apply to noise sources associated with agricultural operations on lands zoned for agricultural uses.

- VII.E.3. Where proposed non-residential land uses are likely to produce noise levels exceeding the performance standards of Table II-1 (of the *Policy Document*) at existing or planned noise-sensitive uses, an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design. (Requirements for the content of an acoustical analysis are identified in Table II-2 of the *Policy Document*.) (Note: For the purposes of these noise policies, transportation noise sources are defined as traffic on public roadways, railroad line operations, and aircraft in flight. Control of noise from these sources is preempted by federal and state regulations. Other noise sources are presumed to be subject to local regulations, such as a noise control ordinance.)

---

**TABLE II-2 (of the *General Plan Policy Document*)**

**REQUIREMENTS FOR AN ACOUSTICAL ANALYSIS**

An acoustical analysis prepared pursuant to the noise policies of the *General Plan* shall:

- A. Be the responsibility of the applicant.
  - B. Be prepared by a qualified person experienced in the fields of environmental noise assessment and architectural acoustics.
  - C. Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions and the predominant noise sources.
  - D. Estimate existing and projected (20 years) noise levels in terms of  $L_{dn}$  or CNEL and/or the standards of Table II-1, and compare those levels to the policies of the noise section of the *General Plan*.
  - E. Recommend appropriate mitigation to achieve compliance with the adopted policies and standards of the noise section of the *General Plan*. Where the noise source in question consists of intermittent single events, the report must address the effects of maximum noise levels in sleeping rooms in terms of possible sleep disturbance.
  - F. Estimate noise exposure after the prescribed mitigation measures have been implemented.
  - G. Describe a post-project assessment program which could be used to evaluate the effectiveness of the proposed mitigation measures.
- 

- VII.E.4. The feasibility of proposed projects with respect to existing and future transportation noise levels shall be evaluated by comparison to Figure II-5 (of the *Policy Document*).

- VII.E.5. New development of noise-sensitive land uses will not be permitted in areas exposed to existing or projected levels of noise from transportation noise sources which exceed the levels specified in Table II-3 (of the *Policy Document*), unless the project design includes effective mitigation measures to reduce noise in outdoor activity areas and interior spaces to the levels specified in Table II-3 (of the *Policy Document*).

---

**TABLE II-3 (of the *General Plan Policy Document*)**

**MAXIMUM ALLOWABLE NOISE EXPOSURE  
TRANSPORTATION NOISE SOURCES**

Land Use	Outdoor Activity Areas <sup>1</sup>	Interior Spaces	
	$L_{dn}/CNEL$ , dB	$L_{dn}/CNEL$ , dB	$L_{eq}$ , dB <sup>2</sup>
Residential	60 <sup>3</sup>	45	--
Transient Lodging	60 <sup>3</sup>	45	--
Hospitals, Nursing Homes	60 <sup>3</sup>	45	--
Theaters, Auditoriums, Music Halls	--	--	35
Churches, Meeting Halls	60 <sup>3</sup>	--	40
Office Buildings	60 <sup>3</sup>	--	45
Schools, Libraries, Museums	--	--	45
Playgrounds, Neighborhood Parks	70	--	--

<sup>1</sup> Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use.

<sup>2</sup> As determined for a typical worst-case hour during periods of use.

<sup>3</sup> Where it is not possible to reduce noise in outdoor activity areas to 60 dB  $L_{dn}/CNEL$  or less using a practical application of the best available noise reduction measures, an exterior noise level of up to 65 dB  $L_{dn}/CNEL$  may be allowed, provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table.

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- VII.E.6. Noise created by new transportation noise sources, including roadway improvement projects, shall be mitigated so as not to exceed the levels specified in Table II-3 (of the *Policy Document*) at outdoor activity areas or interior spaces of existing noise-sensitive land uses in either the incorporated or unincorporated areas.
- VII.E.7. Where noise-sensitive land uses are proposed in areas exposed to existing or projected exterior noise levels exceeding the levels specified in Table II-3 (of the *Policy Document*) or the performance standards of Table II-1 (of the *Policy Document*), an acoustical analysis shall be required as part of the environmental review process so that noise mitigation may be included in the project design.



- VII.E.8. Where noise mitigation measures are required to achieve the standards of Tables II-1 and II-3 (of the *Policy Document*), the emphasis of such measures shall be placed upon site planning and project design. The use of noise barriers shall only be considered a supplemental means of achieving the noise standards after all practical design-related noise mitigation measures have been integrated into the project.

### 3. Impacts

The areas of greatest concern with respect to future noise generation are on the eastern side of the Planning Area at the southwestern corner of the intersection of Inyo Avenue and Canal School Road, in the southern part of the Planning Area, immediately south of the Creek Canyon subdivision, and on the western side of town, where Harvey Road crosses Orestimba Road. It should be noted, however, that the precise alignment of the all roadways have not been finalized, so the prospective noise impacts can still be mitigated by alignment adjustments or noise buffering techniques. Because the *General Plan* includes policies, standards, and programs to avoid noise-related impacts on both existing uses and new development, the impact on noise conditions is considered to be less-than-significant.

### 4. Mitigation Measures

None required.



## CHAPTER IX

### MANDATORY CEQA SECTIONS

#### A. INTRODUCTION

The California Environmental Quality Act and the *State CEQA Guidelines* require that environmental impact reports include discussion of the following issues:

- Alternatives to the proposed action (*CEQA Guidelines* §15126 (d))
- The relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity (*CEQA Guidelines* §15126 (e))
- Any significant irreversible environmental changes which would be involved in the proposed action should it be implemented (*CEQA Guidelines* §15126 (f))
- Growth inducing impact of the proposed action (*CEQA Guidelines* §15126 (g))
- Cumulative impacts (*CEQA Guidelines* §15130)

#### B. ALTERNATIVES

##### Existing General Plan (No Project Alternative)

State law requires that each city and county in California adopt a general plan. If the City of Newman chose not to adopt a revised general plan, it would continue to rely on the *1976 General Plan* as its development guide. The *1976 General Plan Land Use Diagram* is shown in Figure IX-1 and is also included in Chapter I of the *General Plan Background Report*. The *1976 General Plan* designates land within the existing city limits and beyond. Approximately 465 acres are designated for urban development in the *1976 General Plan* beyond the existing city limits. All of this land is designated for residential development, with two exceptions. Land southeast of the existing city limits south of Hills Ferry Road and west of Canal School Road is designated for industrial development, and approximately 12 acres at the intersection of Stuhr Road and Highway 33 is designated for highway commercial development.

Development of vacant land within the current city limits would be essentially the same as would be permitted under the *General Plan*. The differences are discussed in Chapter III of this *EIR* under Section I, Land Use. Vacant and underutilized land within the *1976 General Plan* includes 13 acres of commercially-designated land, most for heavier commercial and highway commercial uses, 111 acres of industrially-designated land, and 402 acres of residentially-designated land. At buildout, using the same assumptions included in the *General Plan*, this would provide for 142,000 square feet of new commercial development, 1,000,000 square feet of new industrial development, and 1,400 new dwelling units, or roughly 4,200 additional residents.

Continued reliance on the *1976 General Plan* would provide for less population growth than would be allowed under the *General Plan*. The *1976 General Plan* also provides for less industrial development and virtually no new commercial development. Buildout of the *1976 General Plan* would require less water and sewer capacity and would have fewer impacts on police, fire, and school services. The City's ability to finance these services and major new roadway and drainage improvements would, however, be affected because the City would not have the tax base that results from commercial and industrial development. The land designated west of the existing limits would be developed with residential uses, making expansion of Newman's central business district impossible.



Development under the *1976 General Plan* would result in the conversion of less prime farmland than the *General Plan* and would have a less significant impact on regional air quality. In both of these cases, however, the *1976 General Plan* would result in a significant adverse impact that could not be mitigated.

## Issues and Options Report

As part of the General Plan preparation process, the City of Newman prepared and considered a General Plan *Issues and Options Report*. This report identified what the consultants believed to be the most critical issues to be addressed in the new general plan. These included such issues as the direction of future growth, the amount and rate of new development, the mix of development, circulation, residential, commercial and industrial development, agricultural lands, parks and recreation, historic preservation, and several others. For each of 17 issues, the report identified two or more options. The *Issues and Options Report* evaluated each of these options in qualitative terms.

Based on public comment, the recommendations of the Planning Commission, and the City Council's own review, the City Council selected one or more preferred options for each issue. These preferences were used as the basis for preparing the *General Plan*.

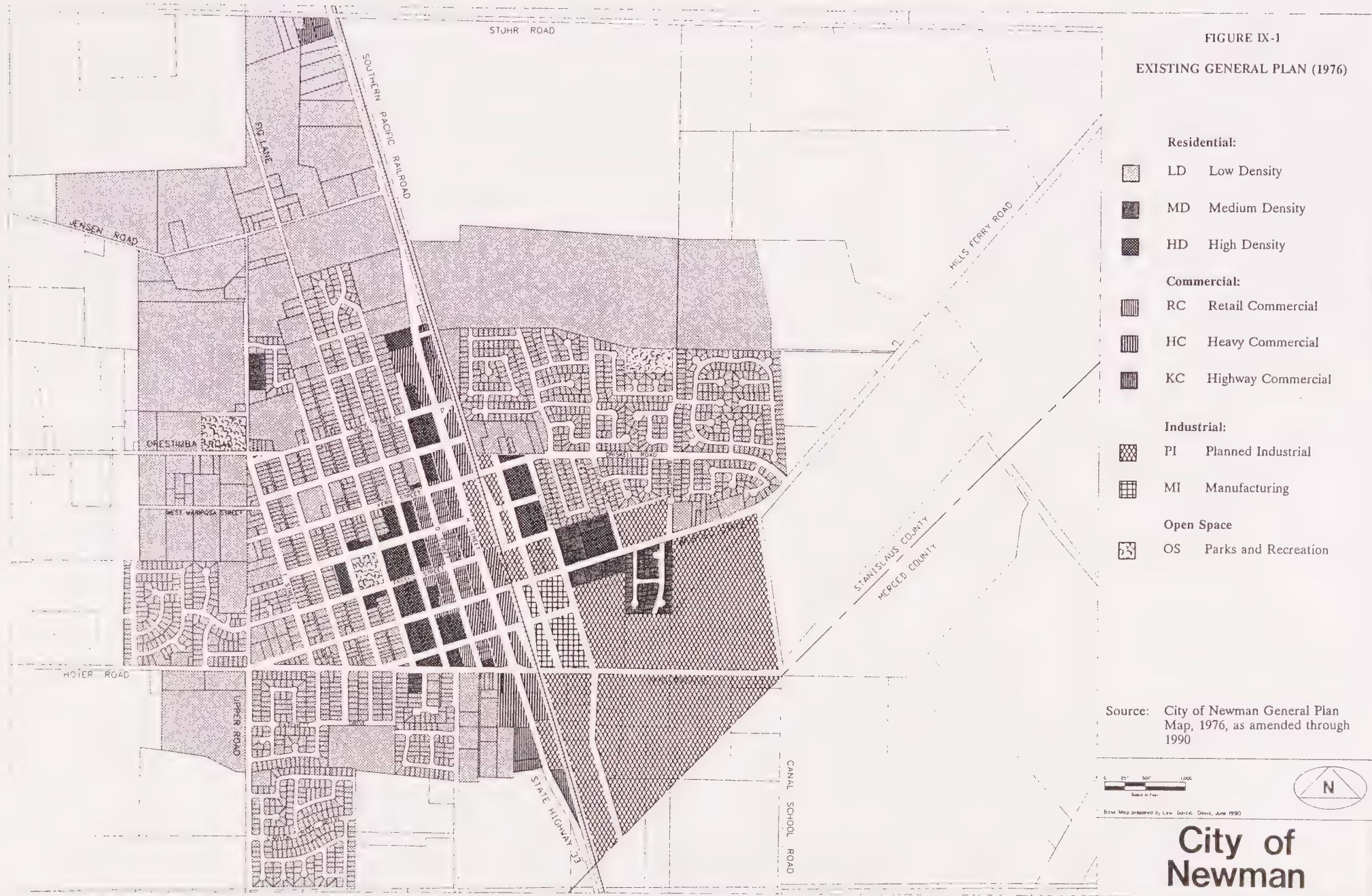
As a practical matter, because of the comprehensive nature of the general plan, there are an infinite number of possible alternatives to the *General Plan* as proposed. For most policies in the plan, there is at least one alternative, and for many, if not most, individual parcels of land, there is at least one feasible alternative land use designation. The evaluation of the impacts of all these alternatives and their many combinations is simply not feasible.

## Sketch Plan Alternatives Report

Based on its review of the *Issues and Options Report*, the City Council requested three alternatives be prepared for their review based on three population levels: 12,000, 17,000, and 22,000. The *Sketch Plan Alternatives Report* presented the three sketch plan alternatives and analyzed the implications of each of the alternatives. The *Sketch Plan Alternatives Report* described the major land use, circulation, and urban form issues in each sketch plan alternative and provided a broad analysis of their implications.

After public review, the City Council selected the 22,000 population sketch plan alternative as the basis for drafting the *General Plan*. Since the 22,000 population sketch plan alternative is similar to the *Land Use Diagram*, this alternative is not discussed here. The population holding capacity in the *General Plan* is higher than the 22,000 population in the *Sketch Plan Alternatives Report* as a result of using the population per household reported by the 1990 Census which is higher than the annual estimates by the California Department of Finance (DOF) used in the *Sketch Plan Alternatives Report*. The 1990 DOF population per household of 2.7 was used in estimating the holding capacity of the sketch plan alternatives. Subsequently, the 1990 Census figures were released. The 1990 Census recorded Newman's population per household at 3.0, more than a ten percent increase. Both the 12,000 and 17,000 population sketch plan alternatives would also have recorded higher populations if the population per household of 3.0 were used in the analysis.

FIGURE IX-1  
EXISTING GENERAL PLAN (1976)







### 12,000 Population Sketch Plan Alternative

A map of the 12,000 population sketch plan alternative is shown in Figure IX-2, and also included in the *Sketch Plan Alternatives Report*. The 12,000 population alternative would accommodate all new development inside the parkway. Beyond the baseline of residential land within the city limits, an additional 520 acres of residential land are designated, distributed roughly equally east and west of Highway 33, with a buildout potential of 5,746 new residents (for a total population of 12,177).

Downtown expansion would take place to the south, to ultimately connect with the proposed shopping center south of Inyo Avenue. This alternative assumes that non-retail uses in these two blocks would be replaced. General commercial development, including those heavier commercial uses displaced during downtown expansion, would be accommodated along Highway 33 south of the parkway, and along the east side of Highway 33, and displaced industrial uses would be accommodated in the industrial area on the east side of the railroad tracks. New industrial development is proposed to expand the existing industrial area to the east toward the sewer treatment plant.

The 12,000 population sketch plan alternative would provide for a more compact urban pattern than the *General Plan*, accommodating less development and, as a result, having fewer impacts on natural resources (i.e., agricultural land, water quality, air quality) and public facilities and services (i.e., water, sewer, drainage, schools).

### 17,000 Population Sketch Plan Alternative

Under the 17,000 population sketch plan alternative, as shown in Figure IX-3, all land inside the parkway is designated for urban uses, plus an additional 445 acres of residential land outside the parkway. A new 133-acre area northeast of the city is also designated for industrial development. Total buildout potential would accommodate approximately 10,888 new residents outside the existing city limits for a total population of 17,320.

Downtown expansion was proposed to the south, to ultimately connect with the proposed shopping center south of Inyo Avenue, and also to the north along Highway 33. A three-acre neighborhood convenience center to serve neighborhoods on the east side of the city is also designated. As in the 12,000 population alternative, displaced heavy commercial uses and industrial uses would be accommodated elsewhere, in the general commercial and industrial land use designations.

At the north and south ends of Highway 33, beyond the central business district's commercial core, general commercial uses are designated. These uses could include heavier commercial uses displaced through downtown expansion, land intensive commercial uses such as tire stores, nurseries, feed stores, and possibly an auto mall area at the south end of the city. Rigorous design guidelines are proposed for this corridor to ensure that the entrance to Newman would be as aesthetic as possible.

The 17,000 population sketch plan alternative would result in similar impacts to the 12,000 population alternative, although to a greater extent. The impacts would be less than associated with under the *General Plan*.

### **Circulation Alternatives**

The basis for the circulation framework included in the *Draft General Plan* was the parkway. A review of existing land uses and the pattern of development in Newman suggested limited opportunities to create

a bypass within the presently developed area. This led to the concept of a ring road that would encircle the existing developed part of the city, which in turn led to the parkway concept.

To assure that the parkway always served its original function (to carry traffic around downtown), it was designed with limited access and high design speeds. These two characteristics were intended to make the road as attractive as possible to motorists, so that it was always more attractive than a trip through the downtown for trips that did not need to travel there. It was designed with a wide median, so that it could be effectively landscaped as a major aesthetic enhancement to the city. It was designed with a wide ultimate cross-section so that it would be able to serve Newman's needs well beyond the time frame of the *Draft General Plan* (1991 to 2010).

During the review of the *Draft General Plan*, the City prepared a study of an alternative circulation concept to the parkway, which instead relied on a system of grid arterial streets, with a similar alignment to the proposed parkway. This grid arterial street system was selected by the City as the circulation concept incorporated into the final *General Plan*.

### C. SHORT-TERM VERSUS LONG-TERM USES

A general plan must by law be comprehensive and long-term. As a practical matter, an EIR on a comprehensive general plan is an assessment of the long-term cumulative impacts of development. The plan provides a framework for making trade-offs among competing values and interests within both short-term and long-term time frames. It also sets out policies and programs to address the potentially adverse effects of new development.

As noted earlier in this EIR, traffic along Highway 33, agricultural land conversion, and regional air quality are the areas in which the plan does not fully mitigate identified impacts. The conversion of agricultural land is a long term commitment, while traffic congestion and regional air quality problems can ultimately be solved.

### D. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

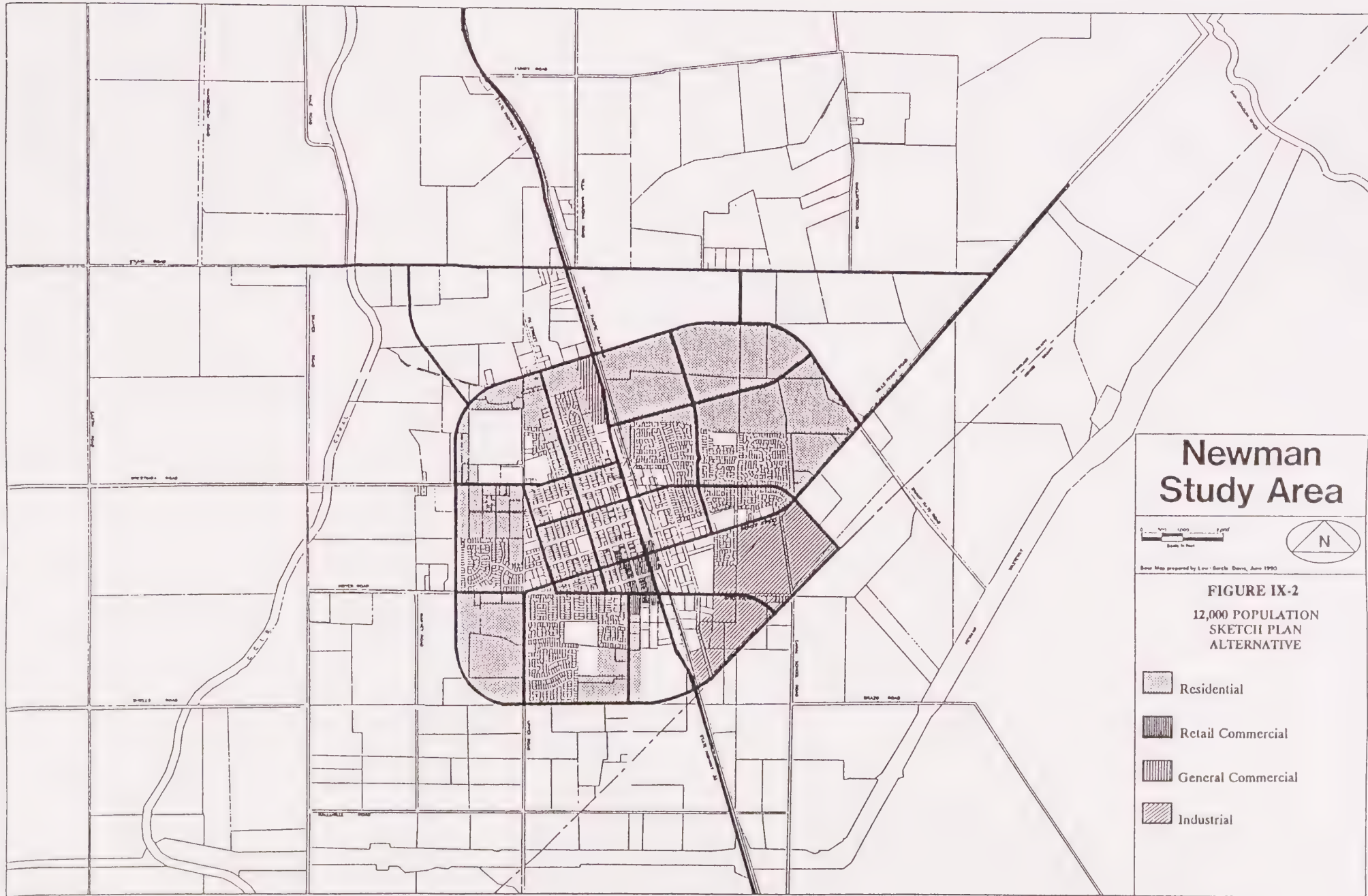
The *General Plan* would commit most of the land area of the Planning Area to urban uses. This is a permanent change, but is not considered in itself an adverse impact. The conversion of agricultural land to urban use is, however, considered a significant, permanent adverse impact, which cannot be mitigated except by excluding the land from the plan or designating it for agricultural use.

Except for the conversion of agricultural land, none of the secondary impacts of increased urbanization is considered irreversible.

### E. GROWTH-INDUCING IMPACTS

A general plan which proposes future development is by definition "growth-inducing." The *General Plan*, however, attempts to address all the potentially adverse implications of this growth through policies, programs, and proposals for adequate infrastructure, promotion of a reasonable balance between jobs and housing, and protection of environmentally-sensitive resources.








## Newman Study Area

Scale in Feet  
0 500 1000 1500



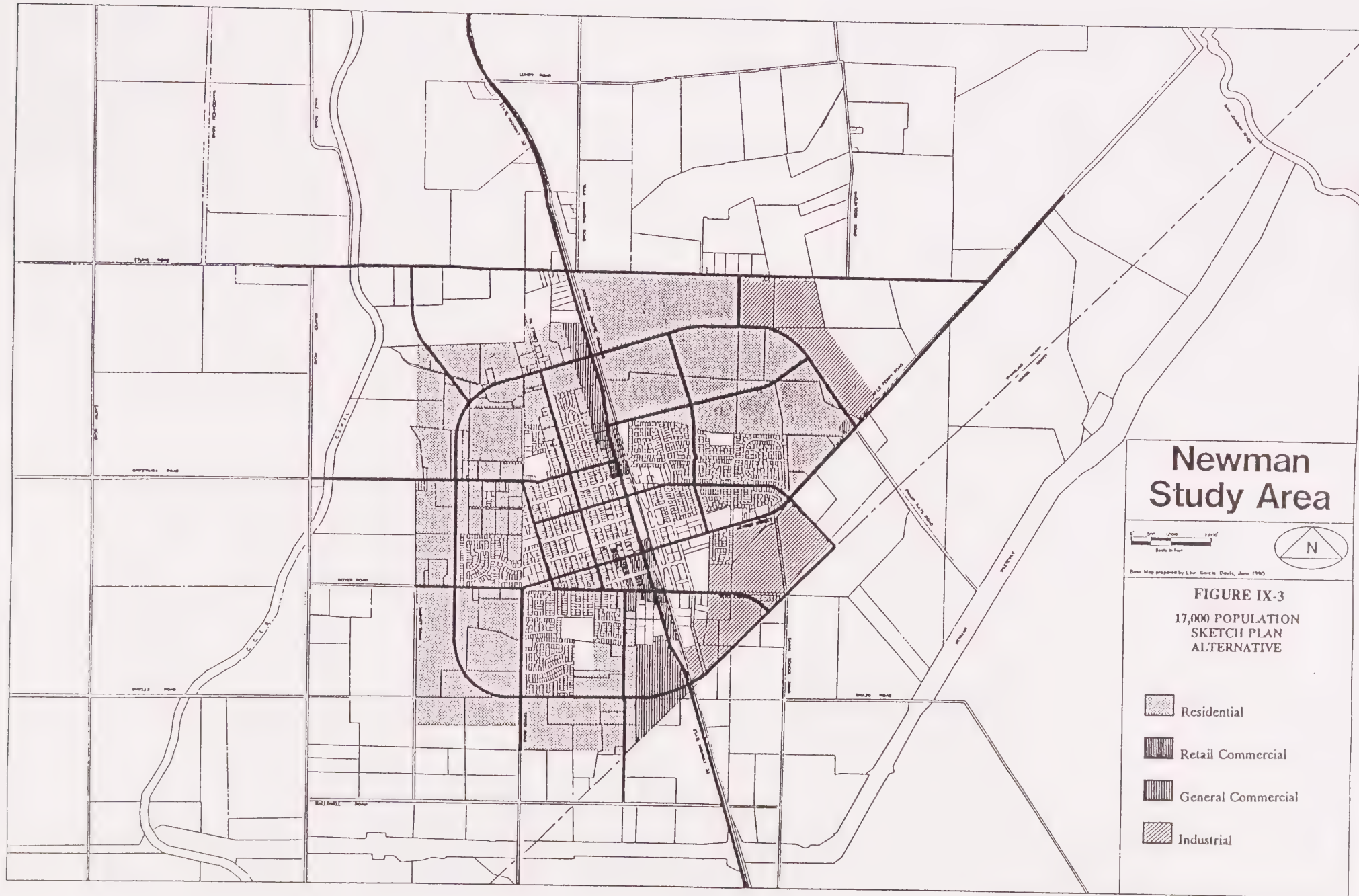
Base Map prepared by Low-Sonthe-Davis, June 1990

**FIGURE IX-2**  
**12,000 POPULATION**  
**SKETCH PLAN**  
**ALTERNATIVE**

-  Residential
-  Retail Commercial
-  General Commercial
-  Industrial











## F. CUMULATIVE IMPACTS

As a practical matter, an EIR on a comprehensive general plan is an assessment of the cumulative impacts of development within the Planning Area of the plan. The plan provides a framework for making tradeoffs among competing values and interests. It also sets out policies and programs to address the potentially adverse cumulative effects of new development.

Development under the *General Plan* will add cumulatively to impacts from development throughout the region. Specifically, the I-5 corridor between I-5/580 and Highway 152, generally the western San Joaquin Valley from Tracy to Los Banos, has been the focus of significant development interest since 1988. Several "new towns" have been proposed; four in Stanislaus County. In addition, major developments for existing West Side cities and unincorporated communities have been proposed. The *Background Report* summarizes the major development projects proposed in the region as of February 1992. In addition, the City of Patterson proposes to increase from a population of 8,800 in 1991 to 21,000 in 2010 in their revised *General Plan*, and to accommodate substantial commercial and industrial development. In western Stanislaus County, proposals include growth allowed under the City of Patterson's 1992 *General Plan*, Lakeborough, Diablo Grande, Mapes Ranch, and growth in the unincorporated community of Grayson. In western Merced County, substantial new development is proposed for the unincorporated community of Santa Nella, and growth is also envisioned for the city of Gustine.

The cumulative effects of growth would be most demonstrably reflected in increased traffic and the resulting impacts on the regional roadway and highway system, primarily on I-5. A discussion of these impacts is included in Chapter IV of this *EIR*, Transportation and Circulation.

Other cumulative effects from development in the region include loss of agricultural lands and effects on regional air quality. Development under Newman's *General Plan* would contribute to the cumulative loss or degradation of these resources.

## G. MITIGATION MONITORING

CEQA prohibits a public agency from approving or carrying out a project for which an environmental impact report identifies significant environmental effects, unless one of specified finding relative to mitigation of those effects has been made. Section 21081.6 of the *Public Resources Code* states that when an agency approves a project subject to implementing mitigation measures (in an EIR or Negative Declaration), the public agency must adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.

The policies and programs of the *General Plan* operate to mitigate most of the impacts of new development under the draft plan. Under Implementation Program IX-1, the Planning Commission must annually review the *General Plan Policy Document*. As stated in the program, this review shall be used to satisfy the requirements for a mitigation monitoring program.

To facilitate the Planning Commission's review, prior to adoption of the *General Plan*, those policies and programs that will serve to mitigate identified environmental impacts will be specifically listed and used to satisfy requirements for mitigation monitoring as part of the Planning Commission's annual review.



## APPENDIX A

### REQUIRED CONTENTS OF AN EIR - INDEX

This appendix describes where each of the issues required to be included in a EIR is addressed in the various General Plan documents. The following abbreviations are used in the table below:

GPBR	<i>General Plan Background Report</i>
GPIOR	<i>General Plan Issues and Options Report</i>
GPSPAR	<i>General Plan Sketch Plan Alternatives Report</i>
GPPD	<i>General Plan Policy Document</i>
FEIR	<i>Final EIR</i>

CEQA Guidelines Requirements	Document	Chapter/Section
Table of Contents (§15122)	FEIR	
Summary (§15123)	FEIR	Chapter I
Project Description (§15124)	FEIR	Chapter I
	GPPD	Entire Document
	GPBR	Chapter I
Environmental Setting (§15125)	GPBR	Entire Document
Significant Environmental Effects (§15126 (a))	FEIR	Chapters III-VIII
Significant Unavoidable Effects (§15126 (b))	FEIR	Chapters III-VIII
Mitigation Measures (§15126 (c))	FEIR	Chapters III-VIII
Alternatives (§15126 (d))	FEIR	Chapter IX
	GPIOR	Entire Document
	GPSPAR	Entire Document
Long-term Versus Short-Term (§15126 (e))	FEIR	Chapter IX
Significant Irreversible Changes (§15126 (f))	FEIR	Chapter IX
Growth-Inducing Impacts (§15126 (g))	FEIR	Chapter IX
Effects Not Found to be Significant (§15128)	FEIR	Chapter III-VIII
Organizations and Person Consulted (§15129)	GPBR	Chapters I-X
Cumulative Impacts (§15130)	FEIR	Chapter IX
Economic and Social Effects (§15131)	FEIR	Chapter V
Mitigation Monitoring (§21081.6)	FEIR	Chapter IX





**APPENDIX B**  
**REPORT PREPARATION**

**J. Laurence Mintier & Associates**

J. Laurence Mintier	Project Management
Lucinda Willcox Gaab	EIR Coordination, Land Use, Housing, Population, Transportation (excluding streets and roads); Public Facilities and Services (excluding water, sewer, and drainage); Recreation and Cultural Resources, Health and Safety
Susan Cummings	Editing, graphic production, technical support, EIR comments

**Dowling Associates**

Stephen Lowens	Transportation, Streets and Roads
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**Jones & Stokes Associates**

Steve Centerwall	Project Management, Natural Resources
James Estep	Biological Resources
Stephanie Myers	Biological Resources
Randy Stegel	Air Resources

**Garcia & Henry**

Bill Henry	Sewer, Water, and Drainage
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**Brown-Buntin Associates**

Jim Buntin	Project Management, Noise
Paul Bollard	Noise





APPENDIX C

NEWMAN BUILDOUT CALCULATIONS  
BY SUBAREA

SUBAREA O: EXISTING DEVELOPED PORTION OF CITY

Residential

Land Use Designation	Average Density	Total Acres	Developed	Vacant	Existing DUs	Potential DUs	Total DUs	1990 Population	New Population	Total Population
LDR	4.00	10.5	10.5		70		70	191		191
CR	6.00	113.2	111.2	2.0	552	62	614	1,507	177	1,684
MDR	8.00	4.5	3.7	0.8	21	6	27	57	17	74
HDR	16.00	10.6	9.1	1.5	99	24	123	270	57	327
Other**					3		3	8		8
TOTAL		138.8	134.5	4.3	745	92	837	2,034	250	2,285

\* Assumes intensification of 50 secondary dwelling units on existing lots in the CR designation

\*\* Existing dwelling units in PQP and RP designations

Nonresidential

Land Use Designation	Average Intensity	Total Acres	Developed	Vacant	Potential SF	Potential Employees
GC	0.25	10.5	3.5	7.0	64,796	117
LI	0.25	1.6		1.6	14,810	18
IS	0.25	2.2		2.2	20,364	24
HI	0.25	4.3	4.3			
PQP		57.6	57.6			
RP		12.2	12.2			
TOTAL		88.4	77.6	10.8	99,970	159

TOTAL ACRES		227.2	212.1	15.1
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SUBAREA N1: NEIGHBORHOOD PLAN AREA 1

Residential

Land Use Designation	Average Density	Total Acres	Developed	Vacant	Existing DUs	Potential DUs	Total DUs	1990 Population	New Population	Total Population
LDR	4.00	125.5	30.3	95.2	164	571	735	448	1,629	2,076
MDR	8.00	8.7	7.0	1.7	4	12	16	11	31	42
HDR	16.00	3.8	3.8		48		48	131		131
NPR	6.50	146.3	9.3	137.0	5	784	789	14	2,047	2,061
TOTAL		284.3	50.4	233.9	221	1,367	1,588	603	3,707	4,311

\*Assumes 526 units on 72.3 acres in proposed development plans

# APPENDIX C

## NEWMAN BUILDOUT CALCULATIONS BY SUBAREA

### Nonresidential

Land Use Designation	Average Intensity	Total Acres	Developed	Vacant	Potential SF	Potential Employees
PQP		7.6	7.6			
TOTAL		7.6	7.6			

TOTAL ACRES		291.9	58	233.9
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### SUBAREA N2: NEIGHBORHOOD PLAN AREA 2

#### Residential

Land Use Designation	Average Density	Total Acres	Developed	Vacant	Existing DUs	Potential DUs	Total DUs	1990 Population	New Population	Total Population
LDR	4.00	50.4		50.4	2	137	139	5	390	396
HDR	16.00	12.5		12.5		176	176		418	418
TOTAL		62.9		62.9	2	313	315	5	808	814

### SUBAREA N3: NEIGHBORHOOD PLAN AREA 3

#### Residential

Land Use Designation	Average Density	Total Acres	Developed	Vacant	Existing DUs	Potential DUs	Total DUs	1990 Population	New Population	Total Population
LDR	4.00	126.6	78.0	48.6	417	185	602	1,139	527	1,666
MDR	8.00	23.6	3.4	20.2	23	142	165	63	372	434
NPR	6.50	62.1		62.1	4	355	359	11	928	939
HDR	16.00	1.6		1.6		23	23		54	54
TOTAL		213.9	81.4	132.5	444	705	1,149	1,212	1,880	3,093

\*Assumes 33 units on 5.4 acres in proposed development plans

#### Nonresidential

Land Use Designation	Average Intensity	Total Acres	Developed	Vacant	Potential SF	Potential Employees
PQP		10.1	10.1			
RP		5.0		5.0		
TOTAL		15.1	10.1	5.0		

TOTAL ACRES		229.0	91.5	137.5
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APPENDIX C

NEWMAN BUILDOUT CALCULATIONS  
BY SUBAREA

SUBAREA N4: NEIGHBORHOOD PLAN AREA 4

Residential

Land Use Designation	Average Density	Total Acres	Developed	Vacant	Existing DUs	Potential DUs	Total DUs	1990 Population	New Population	Total Population
LDR	4.00	44.7	1.0	43.7	5	186	191	14	529	543
NPR	6.50	38.5	4.1	34.4	17	197	214	46	514	560
TOTAL		83.2	5.1	78.1	22	382	404	60	1,043	1,103

\*Assumes 168 units on 38.7 acres in proposed development plans

SUBAREA N5: NEIGHBORHOOD PLAN AREA 5

Residential

Land Use Designation	Average Density	Total Acres	Developed	Vacant	Existing DUs	Potential DUs	Total DUs	1990 Population	New Population	Total Population
LDR	4.00	27.7	24.9	2.8	90	10	100	246	28	274
CR	6.00	1.0	1.0		4		4	11		11
MDR	8.00	10.6		10.6	1	75	76	3	195	198
HDR	16.00	5.6	0.5	5.1	9	72	81	25	171	195
TOTAL		44.9	26.4	18.5	104	156	260	284	394	678

SUBAREA S1: RESIDENTIAL SPECIFIC PLAN AREA 1

Residential

Land Use Designation	Average Density	Total Acres	Developed	Vacant	Existing DUs	Potential DUs	Total DUs	1990 Population	New Population	Total Population
PMR	4.80	503.9		503.9	32	2,128	2,160	88	5,561	5,649
TOTAL		503.9		503.9	32	2,128	2,160	88	5,561	5,649

SUBAREA S2: RESIDENTIAL SPECIFIC PLAN AREA 2

Residential

Land Use Designation	Average Density	Total Acres	Developed	Vacant	Existing DUs	Potential DUs	Total DUs	1990 Population	New Population	Total Population
PMR	4.80	238.9		238.9	5	1,009	1,014	14	2,636	2,650
TOTAL		238.9		238.9	5	1,009	1,014	14	2,636	2,650



# APPENDIX C

## NEWMAN BUILDOUT CALCULATIONS BY SUBAREA

### SUBAREA S3: RESIDENTIAL SPECIFIC PLAN AREA 3

#### Residential

Land Use Designation	Average Density	Total Acres	Developed	Vacant	Existing DUs	Potential DUs	Total DUs	1990 Population	New Population	Total Population
PMR	4.80	695.4		695.4	28	2,937	2,965	77	7,674	7,751
TOTAL		695.4		695.4	28	2,937	2,965	77	7,674	7,751

### SUBAREA D: DOWNTOWN PLAN AREA

#### Residential

Land Use Designation	Average Density	Total Acres	Developed	Existing DUs	Lost DUs*	Potential DUs**	Total DUs	1990 Population	New Population***	Total Population
D	8.00	See "Nonresidential"		73	-60	42	55	199	-51	148
		below								
TOTAL				73	-60	42	55	199	-51	148

#### Nonresidential

Land Use Designation	Average Intsy****	Total Acres	Developed	Vacant	Potential SF	Potential Employees
D	1.00	64.2	22.6	41.6	1,361,250	2,450
TOTAL		64.2	22.6	41.6	1,361,250	2,450

\* "Lost DUs" are units assumed to be converted to other uses

\*\* "Potential DUs" are units assumed to be developed in the Downtown area to replace many of the lost units

\*\*\* "New Population" = 0 because population lost in "Lost DUs" is equivalent to population accommodated in "Potential DUs"

\*\*\*\* Assumes buildout at an FAR of 1.00, with the exception of the proposed shopping center, which assumes buildout at an FAR of 0.25

### SUBAREA C1: HIGHWAY 33 CORRIDOR PLAN AREA 1

#### Nonresidential

Land Use Designation	Average Intensity	Total Acres	Developed	Vacant	Potential SF	Potential Employees
GC	0.25	31.1	17.9	13.2	122,186	220
BP	0.25	99.1	17.5	81.6	755,330	1,360
TOTAL		130.2	35.4	94.8	877,516	1,580

# APPENDIX C

## NEWMAN BUILDOUT CALCULATIONS BY SUBAREA

### SUBAREA C2: HIGHWAY 33 CORRIDOR PLAN AREA 2

#### Nonresidential

Land Use Designation	Average Intensity	Total Acres	Developed	Vacant	Potential SF	Potential Employees
GC	0.25	41.7	5.6	36.1	334,160	601
TOTAL		41.7	5.6	36.1	334,160	601

### SUBAREA I1: INDUSTRIAL AREA 1

#### Nonresidential

Land Use Designation	Average Intensity	Total Acres	Developed	Vacant	Potential SF	Potential Employees
LI	0.25	160.6		160.6	1,486,594	1,784
III	0.25	105.6		105.6	977,486	1,173
TOTAL		266.2		266.2	2,464,080	2,957

### SUBAREA I2: INDUSTRIAL AREA 2

#### Nonresidential

Land Use Designation	Average Intensity	Total Acres	Developed	Vacant	Potential SF	Potential Employees
LI	0.25	73.9		73.9	684,055	821
IS	0.25	23.8		23.8	220,305	264
III	0.25	194.5	61.8	132.7	1,228,338	1,474
TOTAL		292.2	61.8	230.4	2,132,698	2,559

### SUBAREA R1: RESERVE AREA 1

Land Use Designation	Total Acres
UR	118.5
TOTAL	118.5

## APPENDIX C

### NEWMAN BUILDOUT CALCULATIONS BY SUBAREA

#### SUBAREA R2: RESERVE AREA 2

Land Use Designation	Total Acres
UR	717.2
TOTAL	717.2

#### SUBAREA R3: RESERVE AREA 3

Land Use Designation	Total Acres
IR	303.5
PQP	37.4
TOTAL	340.9

Note: an additional 32 units are existing within subareas C1, C2, I1, and I2. For the purposes of calculating population impacts, it is assumed that these units will remain or will be replaced with additional units in other areas, and



APPENDIX C

NEWMAN BUILDOUT CALCULATIONS  
BY SUBAREA

TOTAL: ALL SUBAREAS

Total Residential

Land Use Designation	Average Density	Total Acres	Developed	Vacant	Existing DUs	Potential DUs	Total DUs	1990 Population	New Population	Total Population
LDR	4.00	385.4	144.7	240.7	748	1,089	1,837	2,043	3,103	5,146
CR	6.00	114.2	112.2	2.0	556	62	618	1,518	177	1,695
MDR	8.00	47.4	14.1	33.3	49	235	284	134	614	748
HDR	16.00	34.1	13.4	20.7	156	294	450	426	699	1,125
NPR	6.50	246.9	13.4	233.5	26	1,336	1,362	71	3,489	3,560
PMR	4.80	1438.2		1438.2	65	6,075	6,140	180	15,871	16,050
Other**					108	-18	90	295	-51	244
TOTAL		2,266.2	297.8	1,968.4	1,708	9,073	10,781	4,666	23,902	28,568

\* Assumes intensification of 50 secondary dwelling units on existing lots in the CR designation

\*\* Existing dwelling units in PQP and RP designations in Subarea O, and population in Subarea D

Total Nonresidential

Land Use Designation	Average Intensity	Total Acres	Developed	Vacant	Potential SF	Potential Employees
D		64.2	22.6	41.6	1,361,250	2,450
GC	0.25	83.3	27	56.3	521,141	938
Subtotal		147.5	49.6	97.9	1,882,391	3,388
LI	0.25	236.1		236.1	2,185,460	2,623
IS	0.25	26.0		26.0	240,669	289
HI	0.25	304.4	66.1	238.3	2,205,824	2,647
BP		99.1	17.5	81.6	755,330	1,360
Subtotal		665.6	83.6	582.0	5,387,283	6,918
PQP		112.7	75.3			200
RP		17.2	12.2	5.0		
Subtotal		129.9	87.5	5.0		200
TOTAL		943.0	220.7	684.9	7,269,674	10,506

TOTAL ACRES		3,209.2	518.5	2,653.3
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Total Reserve

Land Use Designation	Total Acres
UR	835.7
IR	303.5

## APPENDIX C

### NEWMAN BUILDOUT CALCULATIONS BY SUBAREA

#### SUMMARY OF ASSUMPTIONS (See Chapter II of this EIR for more information)

##### Existing Development (1990)

- Dwelling unit assumptions based on 1990 Census data and 1990 Land Use Inventory
- Population per household assumed at 3.089 (1990 Census)
- Household vacancy assumed at 11.6 percent (1990 Census)

##### New Residential Development - Density and Population Per Household

- For the purposes of buildout calculations, 12 percent of the land in each residential designation is deducted to account for public and quasi-public uses, including parks.
- A housing stock occupancy rate of 95 percent (i.e., assuming a five percent vacancy rate) was assumed for all new dwelling units.

**LDR:** Assumes residential buildout at 4.0 units per gross acre with 3.00 persons per dwelling unit, except which specific development projects have been proposed.

**CR:** Assumes residential buildout at 6.0 units per gross acre with 3.00 persons per dwelling unit. Intensification is also assumed based on promotion of second units on existing lots

**MDR:** Assumes residential buildout at 10.0 units per gross acre with 2.75 persons per dwelling unit.

**HDR:** Assumes residential buildout at 16.0 units per gross acre with 2.50 persons per dwelling unit.

**NPR:** Assumes residential buildout at 6.5 units per gross acre with 2.75 persons per dwelling unit.

**PMR:** Assumes residential build out at 4.8 units per gross acre at 2.75 persons per dwelling unit.

**D:** Assumes residential buildout at 8.0 units per gross acre with 2.75 persons per dwelling unit.

##### New Nonresidential Development

- For large tracts of general commercial and industrial land, 15 percent of the land in each designation is deducted to account for streets and road right-of-way
- Nonresidential buildings assumed at 90 percent occupancy rate
- Typical employee density assumptions as follows:

D, GC, BP	500 square feet per employee
IS, LI, HI	750 square feet per employee

**D:** Assumes commercial buildout at an FAR of 1.00, with the exception of the proposed shopping center, which assumes buildout at an FAR of 0.25.

**GC:** Assumes commercial buildout at an FAR of 0.25. For undeveloped areas, assumes 15 percent reduction in gross developable acreage to account for streets and roads.

**IS:** Assumes buildout at an FAR of 0.25.

**LI:** Assumes buildout at an FAR of 0.25. For undeveloped areas, assumes 15 percent reduction in gross developable acreage to account for streets and roads.

**HI:** Assumes buildout at an FAR of 0.25. For undeveloped areas, assumes 15 percent reduction in gross developable acreage to account for streets and roads.

**BP:** Assumes buildout at an FAR of 0.25. For undeveloped areas, assumes 15 percent reduction in gross developable acreage to account for streets and roads.

**IR:** No buildout potential within the time frame of the *General Plan* is assumed.

**UR:** No buildout potential within the time frame of the *General Plan* is assumed.

**QP:** Assumes buildout per specific proposals where available.

**RP:** Assumes buildout per specific proposals where available.

# APPENDIX D

## SUMMARY OF BUILDOUT BY LAND USE DESIGNATION

D-1

	RESIDENTIAL ACREAGE								COMMERCIAL ACREAGE					INDUSTRIAL ACREAGE							OTHER			RESERVE			GRAND TOTAL	
	Dev.	Vacant						Total New	Total All	Dev.	Vacant			Total New	Total All	Dev.	Vacant				Total New	Total All						
		LDR	CR	MDR	IHDR	NPR	PMR				GC	D	LI				IS	HI	BP									
Avg. density/FAR	4.0	6.0	8.0	16.0	6.5	4.8			0.25	1.00*				0.25	0.25	0.25	0.25											
Subarea (acres)																												
O	134.5		2.0	0.8	1.5		4.3	138.8	3.5	7.0		7.0	10.5	4.3	1.6	2.2			3.8	8.1	57.6	12.2	69.8			227.2		
N1	50.4	95.2		1.7		137.0	233.9	284.3													7.6		7.6			291.9		
N2		50.4			12.5		62.9	62.9																		62.9		
N3	81.4	48.6		20.2	1.6	62.1	132.5	213.9													10.1	5.0	15.1			229.0		
N4	5.1	43.7				34.4	78.1	83.2																		83.2		
N5	26.4	2.8		10.6	5.1		18.5	44.9																		44.9		
S1							503.9	503.9	503.9																	503.9		
S2							238.9	238.9	238.9																	238.9		
S3							695.4	695.4	695.4																	695.4		
D									22.6		41.6	41.6	64.2													64.2		
C1									17.9	13.2		13.2	31.1	17.5				81.6	81.6	99.1						130.2		
C2									5.6	36.1		36.1	41.7													41.7		
I1															160.6		105.6		266.2	266.2						266.2		
I2														61.8	73.9	23.8	132.7		230.4	292.2						292.2		
R1																							118.5		118.5	118.5		
R2																							717.2		717.2	717.2		
R3																					37.4		37.4		303.5	340.9		
Total Acres	297.8	240.7	2.0	33.3	20.7	233.5	1,438.2	1,968.4	2,266.2	49.6	56.3	41.6	97.9	147.5	83.6	236.1	26.0	238.3	81.6	582.0	665.6	112.7	17.2	129.9	835.7	303.5	1,139.2	4,348.4
Total DUs	1,708	1,089	62	234	294	1,336	6,075	9,090	10,798																			
Displaced units***	-18							-18																				
	1,690	1,089	62	234	294	1,336	6,075	9,090	10,780																			
Less vacancy	1,494	1,035	59	223	279	1,269	5,771	8,636	10,129	47.9	41.6	188.8			200.7	22.1	202.6	69.4	1,160.2	1,323.1								
Assumed PPH	3.09	3.00	3.00	2.75	2.50	2.75	2.75																					
Population	4,615	3,104	177	612	698	3,489	15,871	23,951	28,566																			
New SF (in thous.)										521	1,361	1,882			2,185	241	2,206	755	5,387								7,269	
New employees										938	2,450	3,388			2,623	289	2,647	1,360	6,918		200		200				10,506	

\*Proposed shopping center assumed at 0.25 FAR

\*\* 12% reduction assumed for all residential designations to account for parks, schools, detention basins, and institutional uses; 15% reduction applied to large tracts of industrial land to account for streets and roads

\*\*\* Includes 60 existing units in nonresidential land use designations likely to be removed through conversion to other land uses consistent with the General Plan designations minus 42 units assumed to be replaced in the Downtown designation.

Note: Numbers may not add up due to rounding. In addition, some numbers were calculated based on specific development proposals, most notably final and tentative maps in LDR, assumed intensification with second units in CR, and proposed shopping center square footage. See Appendix C for more details





## APPENDIX E

### AIR QUALITY MODELLING ASSUMPTIONS\*

Land Use	Trip Rate	Size	Total Trips
Composite Single/Multi-family	7.9/unit	9,082	71,385
Downtown	23.5/1,000 sq. ft.	1,361	32,011
General Commercial	20.4/1,000 sq. ft.	459	9,364
Industrial Services	6.0/1,000 sq. ft.	241	1,146
Light Industrial	3.6/1,000 sq. ft.	2,185	7,866
Heavy Industrial	3.1/1,000 sq. ft.	2,224	6,939
Business Park	8.2/1,000 sq. ft.	755	6,161

	Home/Work	Residential		Commercial	
		Home/Shop	Home/Other	Work	Non-Work
Trip Length	10.0**	3.5	2.5	4.2	3.6
Percentage Started Cold	88.6	40.4	58.8	77.8	27.6
Trip Speed	45	30	35	35	35
Percentage of Trips	27.3	21.2	51.5		

#### Vehicle Fleet Mix

Vehicle Type	Percent Type	Leaded	Unleaded	
Diesel				
Light Duty Autos	72.8	0.0	97.5	2.5
Light Duty Trucks	14.3	0.0	97.4	2.6
Medium Duty Trucks	4.3	0.0	100.0	0.0
Heavy Duty Trucks	3.9	11.4	88.6	N/A
Heavy Duty Trucks	3.9	N/A	N/A	
100.0				
Motorcycles	0.9	100.0	N/A	N/A

\* All assumptions are based on a single day of operation

\*\* 5.0 substituted for the five-mile average trip length scenario





## APPENDIX F

### BIBLIOGRAPHY AND PERSONS CONSULTED

A list of references and persons consulted is included in the *General Plan Background Report*. This information was also used in the preparation of this *EIR*. In addition, the following references and persons were consulted in the preparation of this *EIR*.

#### BIBLIOGRAPHY

Central California Irrigation District, City of Newman, and City of Gustine, *Groundwater Conditions in the Vicinity of the Cities of Newman and Gustine, California*, Prepared by Kenneth D. Schmidt and Associates, Draft Report, for review only, July 24, 1992.

City of Newman, *Final Environmental Impact Report - City of Newman Wastewater Treatment Plant Expansion*, April 1991.

*Merced County Year 2000 General Plan*, December 1990.

Newman-Crows Landing Unified School District, *Feasibility Study for the Formation and Implementation of a Mello-Roos Community Facilities District*, October 1990.

Newman-Crows Landing Unified School District and City of Newman, *School Task Force Committee Report*, January 1992

Office of Planning and Research, *CEQA: California Environmental Quality Act Statutes and Guidelines*, Sacramento, June 1986.

Office of Planning and Research, *Tracking CEQA Mitigation Measures Under AB 3180*, Sacramento, April 1989.

Stanislaus County Local Agency Formation Commission, *Policies and Procedures Manual*, August 1991.

Stanislaus County General Plan, *Draft Agricultural Element*, February 1990.

Stanislaus County, *General Plan Support Documents*, June 1987.

#### PERSONS CONSULTED

Atkinson, Bob, MRA Associates

Foucht, Brian, Planning Director, City of Newman

Hopper, Leslie, Stanislaus County Planning Department

Williams, Ed, Superintendent, Newman-Crows Landing Unified School District



## APPENDIX G

### DRAFT EIR COMMENTS

The following appendix includes copies of the written comments received on the *Draft General Plan EIR*. Verbal comments were also received at public hearings; however, these comments duplicated written comments submitted and issues addressed in written comments. The written comments are summarized and responses given in Appendix H of this *EIR*.

#### LIST OF COMMENTS

Douglas Stephens Stephens Realtors 1350 "O" Street Newman, CA 95360	Letter dated 12/18/91
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Luree Stetson Department of Conservation The Resources Agency of California	Letter dated 12/27/91
---	-----------------------

Tim Taira, P.E. TJKM 4637 Chabot Drive, Suite 214 Pleasanton, CA 94588-2754	Letter dated 1/7/92
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David L. Hurlbut Stanislaus County Office of Education 801 County Center Three Court Modesto, CA 95355	Letter dated 1/8/92
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Erik P. Justesen RRM Design Group 3026 South Higuera Street San Luis Obispo, CA 93401	Letter dated 1/8/92
--	---------------------

Randall O'Dell Thompson-Hysell, Inc. 1016 12th Street Modesto, CA 95354	Letter dated 1/8/92
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Edwin T. Harte Yosemite Community College District P.O. Box 4065 Modesto, CA 95352	Letter dated 1/8/92
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Robert Walters, Morrison Homes and Arthur L. Lorenzini, Claremont Homes 5726 Sonoma Drive Pleasanton, CA 94566	Letter dated 1/9/92
---	---------------------



Naomalee Rose 17055 Crows Landing Road Crows Landing, CA	Letter dated 1/9/92
John S. Perkins House, House & Perkins 909 Coleman Ave, Suite 204 San Jose, CA 95110	Letter dated 1/9/92
Antonio Cordiero	Letter dated 1/9/92
Charles Barnes Department of Public Works Stanislaus County 1100 H Street Modesto, CA 95354	Letter dated 1/10/92
Compliance notice from OPR	Letter dated 1/10/92
Barbara Too???	Letter dated 1/10/92
Keith Munroe Department of Environmental Resources Stanislaus County 1716 Morgan Road Modesto, CA 95351	Letter dated 1/10/92
David Jones Stanislaus County Department of Environmental Resources Air Pollution Control District 1716 Morgan Road Modesto, CA 95351	Letter dated 1/10/92
Erma Santos	Letter dated 1/11/92
Sadie Oliveira 25701 Jorgensen Road Newman, CA 95360	Letter dated 1/12/92
Mary Ramos	Letter dated 1/12/92
Mary and Ed Relvas	Letter dated 1/13/92
Ruth A. Haynam Gustine-Newman Veterinary Service 29013 Highway 33 Newman, CA 95360	Letter dated 1/13/92

Steve Burke Board Member Land Utilization Alliance P.O. Box 1259 Stockton, CA 95356	Letter dated 1/13/92
Patrick McGrath Normoyle & Newman 1700 Standiford Ave, Suite A-340	Letter dated 1/13/92
David L. Dolenar Chief Administrative Officer Stanislaus County P.O. Box 3404 Modesto, CA 95353	Letter dated 1/13/92
Steven A. Herum Neumiller & Beardslee 509 West Weber Avenue Stockton, CA 95203	Letter dated 1/13/92
Ron E. Freitas Stanislaus Local Agency Formation Commission 1100 H Street Modesto, CA 95354	Letter dated 1/13/92
Keith Mahan Agricultural Commissioner Stanislaus County Department of Agriculture Department of Weights and Measures 725 County Center III Court Modesto, CA 95355	Letter dated 1/14/92
Michael Hinshaw California Department of Transportation 1976 East Charter Way Stockton, CA 95201	Letter dated 1/15/92
Tom and Barbara Powell 27631 Fig Lane Newman, CA 95360	Letter dated 1/22/92
Frank Duarte	Letter undated
Petition opposing parkway	No date, submitted January 9, 1992

# STEPHENS REALTORS

City of Newman  
P.O. Box 787  
Newman, CA 95360

December 18, 1991

Attn: Mr. Brian Foucht, Planning Director

Dear Brian:

Enclosed is a map of the Freitas McPike Ranch on Hills Ferry Road east of Newman. It adjoins the Cerutti property and the City of Newman property.

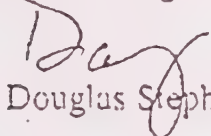
This ranch consists of 447 acres and I think it would be possible to assemble at least 750 acres in this area for an enterprise zone to encourage industrial development.

If the City agrees, we should incorporate the enterprise zone in the General Plan and start working with the State Department of Commerce to create the zone.

Also enclosed is a copy of a recent article regarding an enterprize zone in Merced County.

Please let me know if I can be of further help.

Kindest regards,

  
Douglas Stephens

DS/cs



# STEPHENS

## REALTORS

### FREITAS-MC PIKE

**LOCATION:** Approximately one and half miles east of the City of Newman and seven miles northeast of the City of Gustine.

**ACREAGE:** 447 + - acres.

**IMPROVEMENTS:** Corrals with chutes adequate for this size ranch. The grazing portions of the ranch are fenced.

**USE:** Has development potential with approximately 1/2 mile of frontage on Hills Ferry Road, and a subdivision currently under construction just west of subject property.

**SOIL:** Soils are predominantly of the Orestimba, Temple, Merced, and Waukena soil series.

**WATER:** Two irrigation wells.

**EQUIPMENT:** None

**LEGAL:** Merced County APN's #54-040-10, 11, 54-050-09, 54-060-01. Stanislaus County APN #49-4205-720.

**MINERAL RIGHTS:** None

**REMARKS:** 102.5 acres of this property are in Stanislaus County and application has been made to include them in the City of Newman urban development boundary. The parcel has good frontage and can be serviced with water, sewage and drainage facilities.

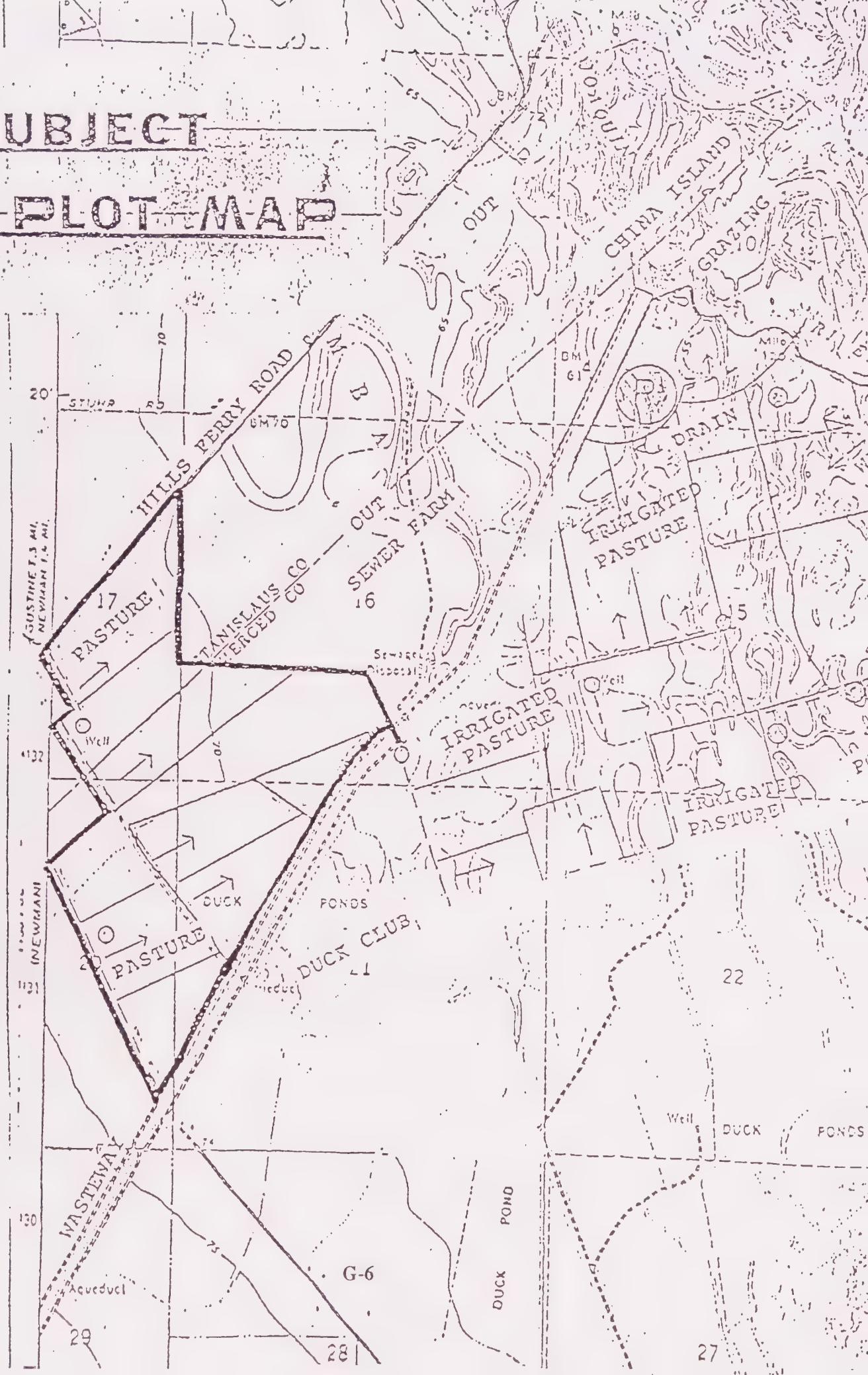
**PRICE:** \$3,000,000.00

The above information was obtained from the owners of this property and from other reliable sources; however, it is not guaranteed. We advise interested parties to do their own investigation as to the accuracy of this information.

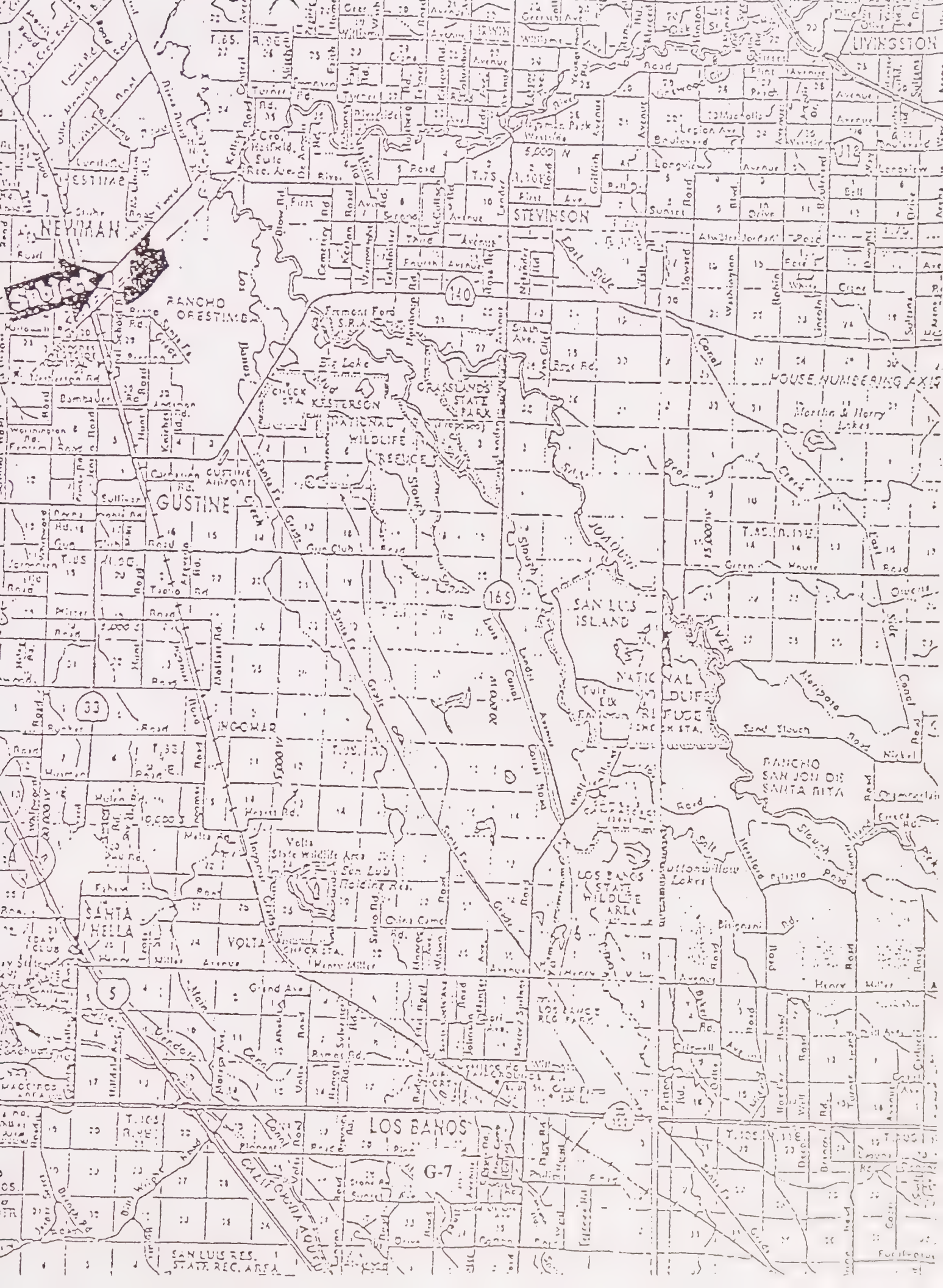
Stephens Realtors, Newman, CA

# PLOT-M-AP

N







## Memorandum

Mr. Douglas P. Wheeler  
Secretary for Resources

Mr. Brian Foucht  
Planning Department  
City of Newman  
1163 "O" Street  
Newman, CA 95360

From : Department of Conservation—Office of the Director

Date : December 27, 1991

Subject: Draft Environmental  
Impact Report (DEIR)  
for the City of  
Newman General Plan  
SCH# 91083068

The Department of Conservation has reviewed the City of Newman's Draft Environmental Impact Report (DEIR) for the project referenced above. The General Plan provides for development of approximately 4,349 acres of land. Agricultural land accounts for over 80% of the existing land in the Planning Area and most of the soils are prime agricultural land. Williamson Act contracts exist on 1,100 acres. Major crops produced in the planning area include, beans, tomatoes, almonds, walnuts, alfalfa, corn and sugar beets. The Department is responsible for monitoring farmland conversion on a statewide basis and also administers the California Land Conservation (Williamson) Act. Since development of the General Plan could have environmental impacts on agricultural and Williamson Act contracted lands, the Department offers the following comments.

The DEIR (Page VII-5) mentions that, "The initial value of an areas's farm product also has a multiplier effect...." However, there is no discussion of the monetary value of the multiplier effect. In providing this information in the Final Environmental Impact Report (FEIR), use should be made of economic multipliers, such as those used in the University of California Cooperative Extension's study, "Economic Impacts of Agricultural Production and Processing in Stanislaus County."]

The DEIR states that the location of the 1,100 acres of Williamson Act lands is shown in the Draft General Plan Background Report. We recommend that this information be provided in the FEIR as well, including a map which identifies the location of agricultural preserves, the number of acres and type of land in each preserve (i.e., prime/non-prime) and the types and relative yields of crops grown on land under Williamson Act contract. The following information should also be included.

- o The impacts on Williamson Act contracted land in, and adjacent to, the planning area should be assessed, including the following data:
  - The location of Williamson Act contracts on lands in the surrounding area.

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DEPARTMENT OF CONSERVATION



- A discussion of the effects that termination of Williamson Act contracts would have on nearby properties also under contract. As a general rule, land can be withdrawn from Williamson Act contract through the nine-year nonrenewal process. Cancellation is reserved for "extraordinary" situations (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855). Cancellation must be based on specific findings that are supported by substantial evidence.
- If Williamson Act contract cancellation is proposed, include a discussion of the specific findings (Government Code Section 51282) that must be made by the City Council and/or the Board of Supervisors in order for Williamson Act contracts to be canceled.
- If Williamson Act contracts exist in the area to be annexed by the City of Newman, Government Code Sections 51243 and 51243.5 will apply (copy enclosed).

Government Code Section 51284 states that no contract may be canceled until after the County has given notice of, and has held, a public hearing on the matter. Notice of the hearing shall be published and mailed to the Director of the Department of Conservation and other specified entities. (Please note that legislation effective January 1, 1992, enclosed, requires that a copy of the landowner's petition and the published notice of tentative cancellation decision, shall also be forwarded, within 30 days of tentative cancellation of the contract, to the Director.)

We recommend that the following mitigation measures and alternatives be considered in order to lessen the impacts on prime agricultural land and Williamson Act contracted land:

- Directing urban growth to lower quality soils in order to protect prime agricultural land.
- Increasing densities or clustering residential units to allow a greater portion of proposed development sites to remain in agricultural production.
- Protecting other, existing farmland of equivalent, or better, quality through planning policy that relies on an active and strategic use of the Williamson Act.
- Establishing buffers such as setbacks, berms, greenbelts and open space areas to separate farmland from urban uses. Many communities have considered 300 feet as a sufficient buffer for impacts such as pesticide spraying, noise and dust.

Mr. Wheeler and Mr. Foucht  
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Page Three

- Implementing right-to-farm ordinances to diminish nuisance impacts of urban uses on neighboring agricultural operations, and vice-versa.
- Adopting a farmland protection program that utilizes such land use planning tools as transfer of development rights, purchase of development rights or conservation easements, and farmland trusts.

The Department appreciates the opportunity to comment on the NOP. We hope that the farmland conversion impacts and the Williamson Act contract issues are given adequate consideration in the FEIR. If I can be of further assistance, please feel free to call me at (916) 455-8733.



Luree Stetson  
Assistant Director  
Office of Governmental and  
Environmental Relations

Enclosures

cc: Kenneth E. Trott  
Office of Land Conservation  
Gustine-Romero Resource Conservation District



January 7, 1992

Mr. Brian Foucht  
Planning Director  
City of Newman  
P.O. Box 787  
1162 O Street  
Newman, CA 95360

Dear Mr. Foucht:

Re: Comment on Draft EIR

This letter and accompanying exhibits present our concern with a number of issues in Chapter IV, Transportation and Circulation of the Draft EIR. Each of our areas of concern is indicated in the following paragraphs. Our Statement of Professional Qualifications is attached.

SUMMARY OF RECOMMENDATIONS

Recommendations we commend to you are summarized below:

1. The Ring Road right-of-way at maximum should be 4 lanes, and never 6 lanes;
2. The North-South Road in the Northwest Quadrant should be a two-lane collector with transitions to a four-lane collector;
3. Right-of-way standards should be adopted as follows:
  - Local Street 56'
  - Two-lane Collector 68'
  - Four-lane Collector 92'
  - Four-lane Arterial 98'
4. The Jensen Road collector, with future canal crossing potential, should be eliminated;

5. Level of Service E on a portion of Orestimba Road should be adopted, or, a four-lane collector or an alternative utilizing Hardin, T Street, etc. should be considered.
6. The proposed Class 1 bikeways along the Ring Road Parkway, the connecting arterial between the Ring Road and Stuhr, and on Hoyer Road should be reclassified as Class 2 Bikeways.

The rest of this letter provides the background and rationale for these recommendations.

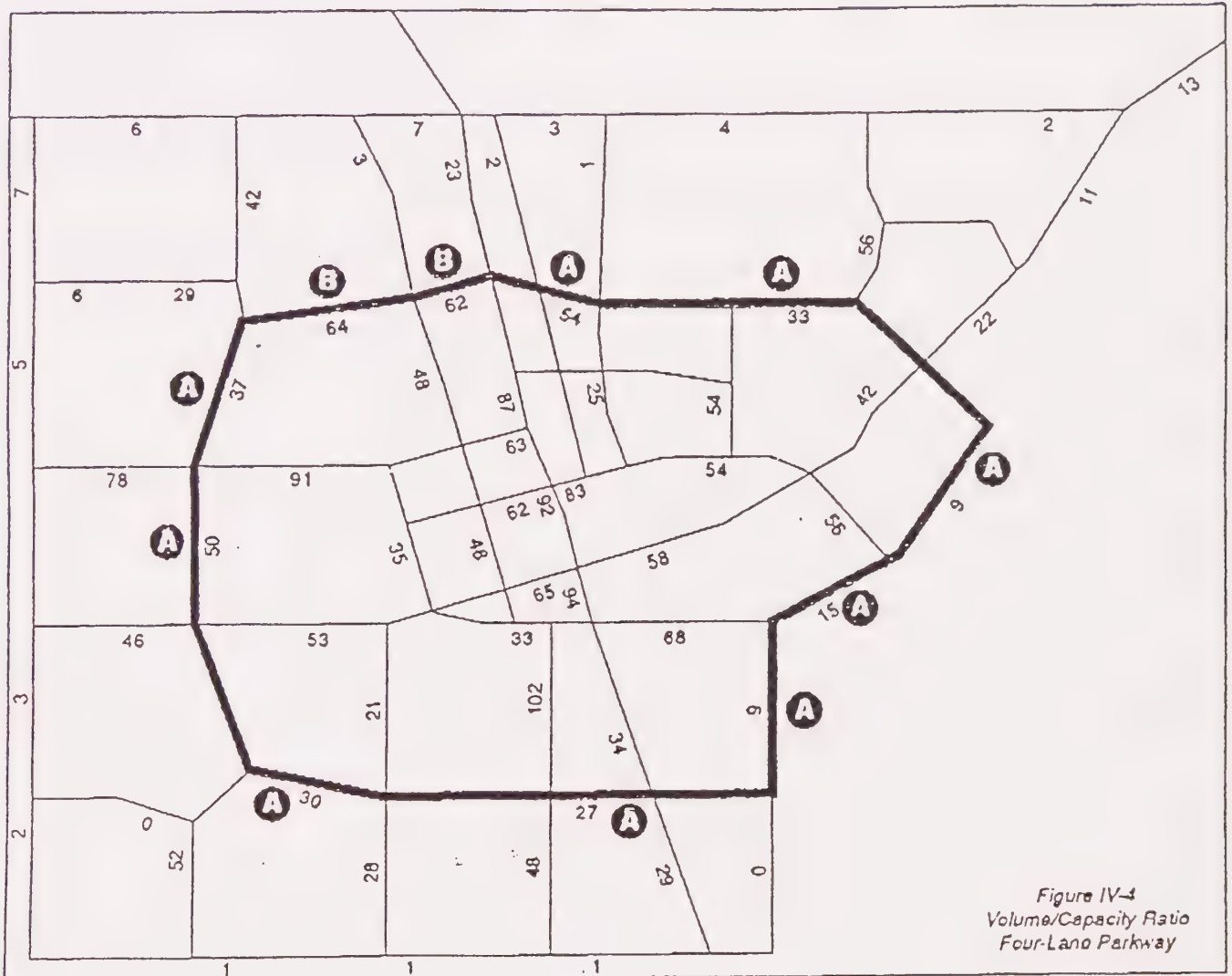
### RING ROAD WIDTH

Following this page is a copy of Figure IV-4 from the DEIR indicating the volumes/capacity ratios for a four-lane parkway. We have marked this Exhibit A. We have annotated this Figure IV-4 to indicate what the level of service (LOS) is for a four-lane Ring Road at build-out. As one can see, in the four-lane parkway, the LOS is never below a B.

What does this mean? It means that a six-lane parkway at any place in the City is questionable, even beyond 2010, because:

- The proposed level of service standard for the City of Newman is LOS C, which corresponds to a volume-to-capacity ratio of 70-79 percent. With the four-lane parkway scenario, the volume-to-capacity ratio near State Route (S.R.) 33 would be between 54-64 percent, as shown in Figure IV-4 which is LOS A and B. This figure suggests that a four-lane Ring Road is more than sufficient. Future volumes could increase by about 25 percent (6,000-7,000 daily trips) beyond that projected, and still be within LOS C. As a point of comparison, there are about 7,000 daily trips on S.R. 33 between Newman and Gustine today.
- The LOS C for design purposes provides a safety value for future unanticipated growth. Many cities use LOS D as their design criteria. Under this criteria, the four-lane Ring Road could accommodate 10,000-11,000 vehicles per day more of unanticipated growth before exceeding LOS D.
- The six-lane parkway scenario is unwarranted and excessive; it is inconsistent with the stated General Plan policy of LOS C for the City, and certainly considerably over-designed; this overdesign creates the following problems:





- Extra land consumption. The proposed six-lane facility would require approximately 17 more acres of land valued at \$765,000 than the suggested four-lane street. This is land removed from the tax rolls and represents approximately \$8,400 of lost tax income at today's rate for undeveloped land. This would increase considerably as it is developed.
- Additional construction cost. It would require approximately an additional \$940,000 to provide the two additional travel lanes at the standard proposed.
- Additional maintenance cost. It would require approximately an additional \$21,500 per year to maintain the extra lanes.
- Unanticipated operational problems. Certain unanticipated operational problems result as a consequence of a road that is overdesigned, such as the Ring Road. As traffic engineers, pedestrian safety is drilled into us. Consequently, as the streets widen, so does the time it takes for pedestrians to cross. The wider the crossing, the longer the signal timing, and therefore, the longer the delay to waiting vehicles on a major street. The phenomenon is exacerbated by children as well as senior citizens. The capacity of streets are normally controlled by the efficiency of the intersections. If you have unnecessarily wide streets, then the net result of longer cycles would tend to negate the value of adding extra travel lanes. This is particularly true when you have four lanes that have LOS of A and B.
- A six-lane right-of-way and buildout mitigates against affordable housing, particularly where it is not warranted.

Finally, when the City moves beyond its 2010 boundary, there will be further analysis as to circulation systems that fit that growth, if it even occurs. To call for six-lanes of reserved right-of-way at this time is clearly beyond what has been demonstrated is necessary for the reasons indicated above.

#### NORTH-SOUTH ARTERIAL - NORTHWEST QUADRANT

The proposed General Plan designates the new North-South road between Stuhr and Ring Road parkway as a four-lane divided arterial. According to the City's transportation consultant, the future traffic volume on this roadway reaches the upper limits of a two-lane collector. The General Plan classifies the Fig extension as a collector.

Model results place a high volume on the North-South road and very little traffic on Fig extension. Part of the reason is that the traffic model favors arterials since they are usually assigned a higher operating speed than are collectors.

The Newman traffic model assumes an average speed of 25 mile-per-hour (mph) for collectors and 35 mph for arterials. In the case of two parallel streets, such as the North-South road and Fig extension, the model favors assigning traffic to the arterial over the collector. Some of the traffic would therefore be diverted to Fig extension from the North-South road if both were designated as collectors.

There are several reasons why the proposed North-South arterial should be designated as a collector instead.

- Projected volumes are far below that for an arterial classification. Arterials normally carry 24,000-32,000 trips per day; this street is anticipated to be 13,000 trips per day.
- Arterials are meant to carry large volumes over long distances. This is a short segment.
- Arterials are typically on a one-mile increment in the Central Valley. In the study area, Draper Road and S.R. 33 are both north-south arterials approximately one mile apart. Another intervening arterial is contrary to this pattern.
- Collectors are usually found on a half-mile alignment between two arterials. If the North-South road is re-designated as a collector, there would be two collectors instead of the usual one, and would therefore be more than adequate.
- A four-lane undivided collector street is commonly used throughout the Valley, and provides a natural transition between a two-lane collector and four-lane arterial. It provides additional capacity with less right-of-way, and allows direct access to adjacent properties.
- Examples of four-lane undivided collectors include G, M, and R Streets in Merced; Fruit, Fresno, Barstow, and Clinton Avenues in Fresno; and Benjamin Holt and Quail Lake Drives in Stockton.
- An even more realistic standard for the North-South connection would be as a two-lane collector, except at Ring Road, where it would transition to a four-lane undivided collector. This is our recommendation.

Finally, as a two-lane collector with a transition to a four-lane collector as we have proposed, the LOS on this street would be A. See Exhibit B attached.



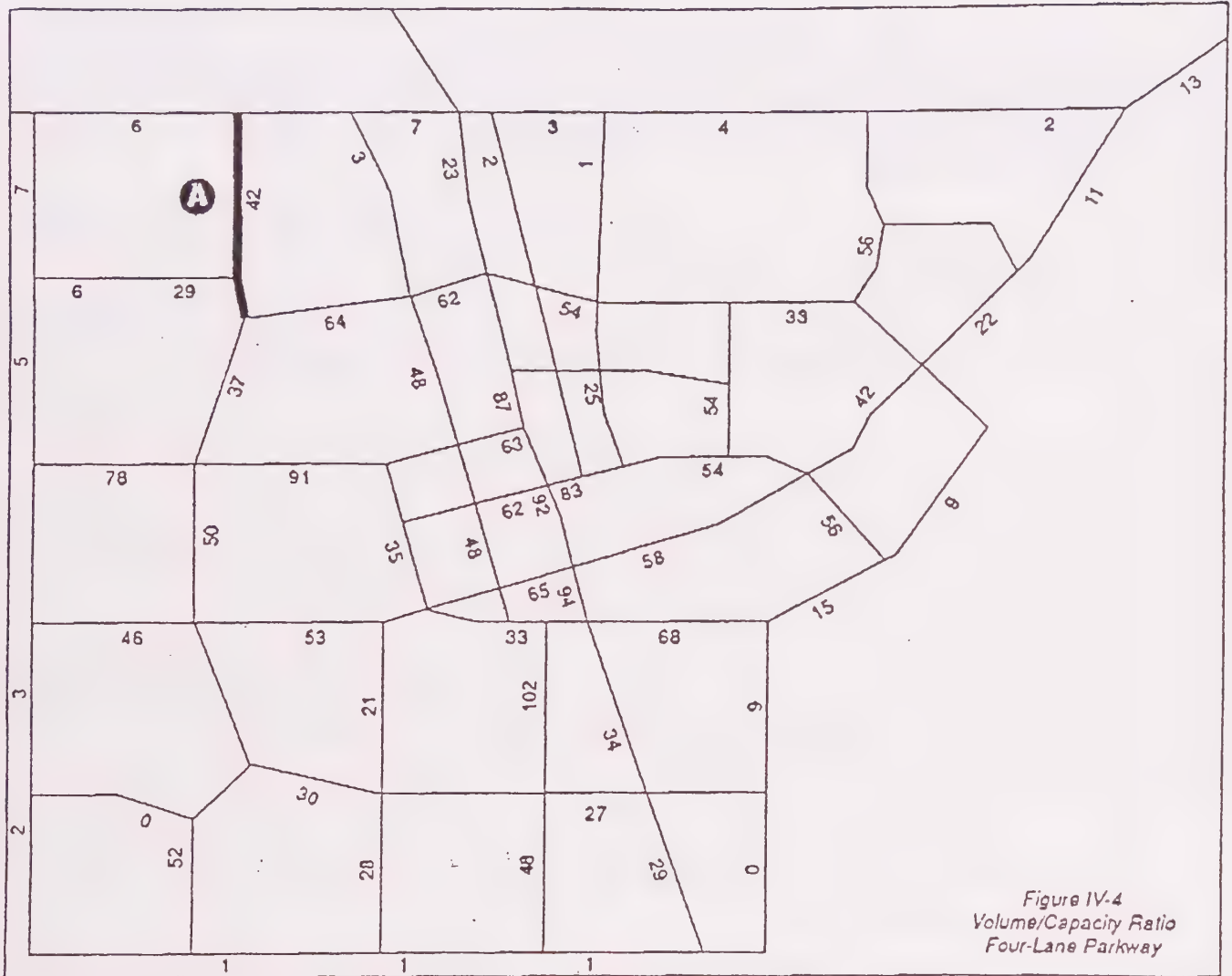


Figure IV-4  
Volume/Capacity Ratio  
Four-Lane Parkway

North South Street - Ring Road to Stuhr Road.  
As an arterial is an LOS A.  
As a four-lane collector would be LOS A.

## NEWMAN NORTHWEST QUADRANT SPECIFIC PLAN

NORTH-SOUTH ROAD  
LEVEL OF SERVICE

G-16



Exhibit  
B

### RIGHT-OF-WAY STANDARDS

New right-of-way standards have been proposed as part of the General Plan. Comparison of the proposed standards to other Valley cities indicates that the proposed standards are often inconsistent and in several cases require considerably more land dedication. A major difference is that Newman would not recognize a four-lane undivided collector while other cities do. As noted above, the proposed North-South road is a good example of where a two-lane and/or four-lane undivided collector should be considered rather than a four-lane arterial.

Local streets in the proposed General Plan would require a 60-foot right-of-way, with a 40-foot curb-to-curb width. The cities of Merced, Turlock, Clovis, and Fresno all use a 36-foot curb-to-curb width. It is recommended that the proposed Newman curb-to-curb width be reduced to 36-foot, and the right-of-way to 56 feet.

Collector streets in the proposed General Plan would have a 76-foot right-of-way and a 56-foot curb-to-curb width for a two-lane collector. This is extremely wide for a typical two-lane collector, and is just slightly under the typical width of four-lane collectors in Merced, Clovis, and Fresno. Turlock and Clovis both have two-lane collectors with a 60-foot right-of-way, and a curb-to-curb width of 40 feet. Turlock also has a 70-foot right-of-way with a 50-foot curb-to-curb width which includes two 5-foot bike lanes. It is recommended that the proposed two-lane collector right-of-way, be reduced to 68-foot with a curb-to-curb width of 48 feet, which includes 4-foot bike lanes.

Four-lane collector streets are prevalent in Merced, Clovis, and Fresno. They have right-of-way widths which vary from 74-84 feet and provide curb-to-curb widths of 62-64 feet. It is recommended that Newman adopt a four-lane collector standard which has a right-of-way section of 92 feet and a curb-to-curb width of 72 feet. This standard would be wider than for other communities in order to provide for both eight-foot parking lanes and four-foot bike lanes on each side of the street.

The General Plan proposal would require 106 feet of right-of-way for arterials. This would provide 86 feet from curb-to-curb for a 14-foot median, and 36 feet of pavement for each direction. The 14-foot median is sufficient as it easily accommodates a single left-turn lane. However, 32 feet of pavement in each direction would be adequate to provide for two 12-foot travel lanes and an 8-foot bike/emergency lane. We are, therefore, recommending an overall right-of-way width of 98 feet which will provide adequate facilities.

In conclusion, the Right-of-Way (ROW) recommendation proposed in the DEIR require substantial ROW, which our experiences indicate is too much, and accordingly unnecessary. Such unnecessarily large ROW mitigates against affordable housing and it adds to everyone's cost in that such overly large ROW increases maintenance cost, where it does not have to be increased. DEIR ROW's as compared to our recommended ROW's are summarized below:

<u>Street Type</u>	<u>DEIR - ROW</u>	<u>Our Recommendations - ROW</u>
- Local Street	60 '	56 '
- Two-Lane Collector	76 '	68 '
- Four-Lane Collector	N/A	92 '
- Four-Lane Arterial	106 '	98 '
- Parkway - Six-Lanes	120 '	N/A

N/A = Not applicable

Finally, Exhibit "C" presents what our recommended street sections would look like.

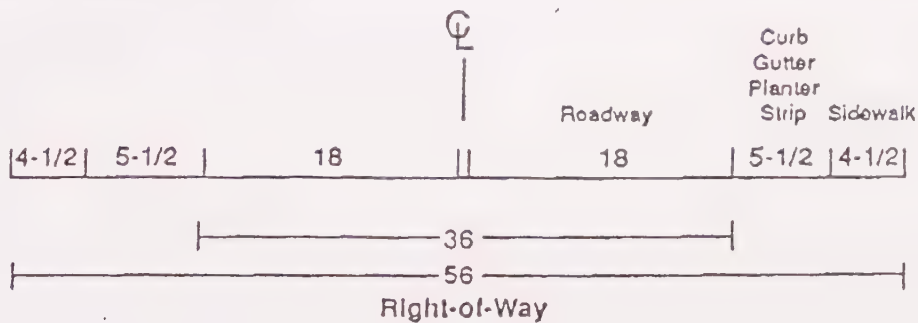
#### JENSEN ROAD EXTENSION

The draft Circulation Plan diagram shows a new crossing of the C.C.I.D. Canal located between Stuhr and Orestimba Roads. It is our understanding that this is contrary to the direction given by the City Council during its review of an earlier version of the land use and circulation plan. At that time, instructions were believed given to delete the link between Draper Road and the proposed north-south arterial located to the east of the canal.

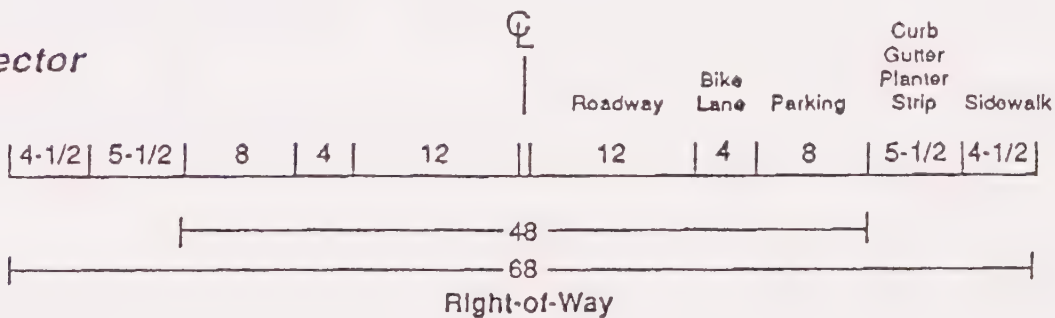
The proposed volumes on this road at the location of the canal are 1,000 vehicles per day, according to Figures IV-1 and IV-3. These volumes are too low to justify a canal crossing or a collector in this area. If development at some point occurs west of the canal, or, if it occurs west of Draper, then Draper and Stuhr will serve as the arterials taking traffic from internal collectors in those areas.



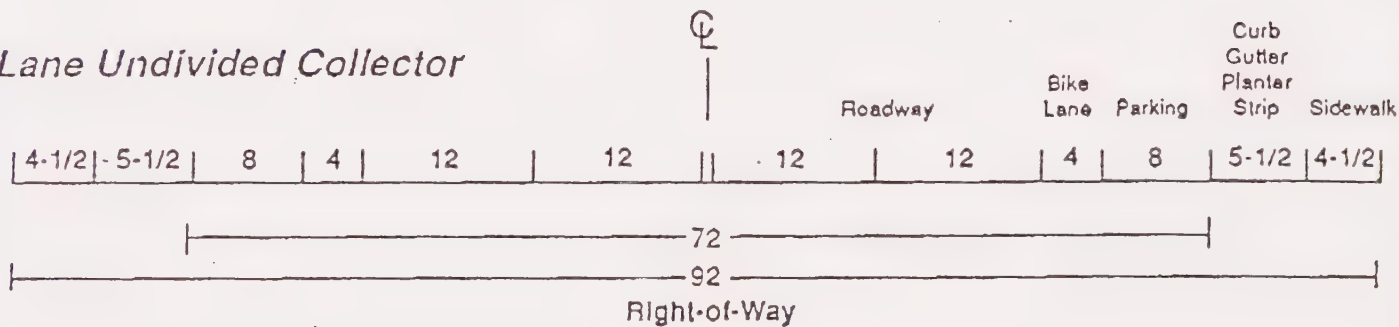
## Local



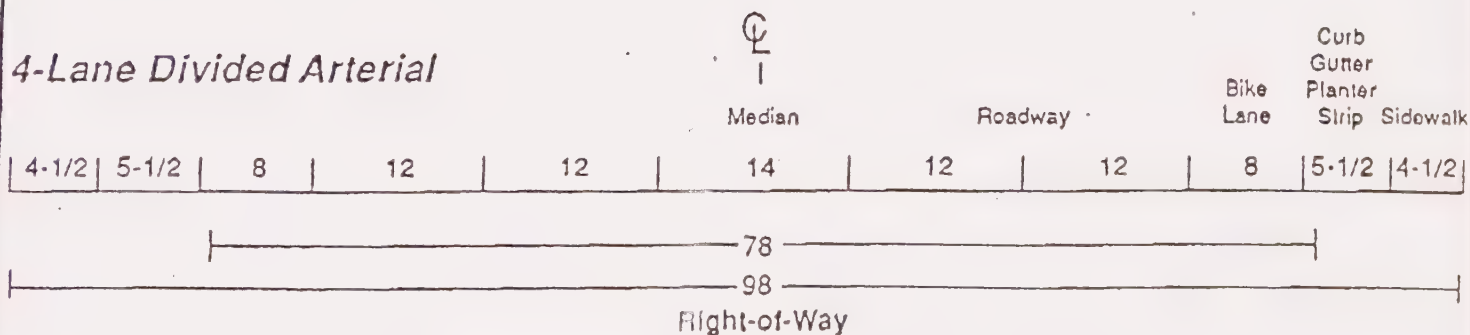
## 2-Lane Collector



## 4-Lane Undivided Collector



## 4-Lane Divided Arterial



# NEWMAN NORTHWEST QUADRANT SPECIFIC PLAN

CITY OF NEWMAN  
PROPOSED CROSS SECTION STANDARDS  
G-19

**JKM**

Exhibit  
C

HARDIN ROAD AND ORESTIMBA ROAD

In addition, it appears that little weight has been given to the effect of Hardin Road and traffic it could conceivably carry into downtown; this is particularly noteworthy when one observes the fact that for a short portion, Orestimba Road has a high volume/capacity ratio. This is an area where all of the following alternatives should be assessed:

- The LOS E could be deemed to be acceptable for this portion of Orestimba; and or
- Alternative routing could be assessed in the future; and/or
- A four-lane collector could be considered as an alternative to a two-lane collector or a four-lane arterial on Orestimba.

BICYCLE LANE POLICY - II.G.3

This policy, found on page IV-11, encourages the use of off-street bicycle paths, Class 1 Bikeways, within Newman. It should be noted that such paths parallel to urban arterials and collectors pose a significant safety problem. The major problem occurs at the junction of the off-street path with a street. Bicycle paths that cross outside of standard intersections can lead to an increased accident potential. This is because bicyclists would be crossing streets at locations where motorists are not expecting their presence. Likewise, the bicycle path is contributing to a situation where bicyclists are not as well protected as at a standard signalized intersection. Since there are a number of multi-lane cross streets, it would be desirable for a cyclist to cross these streets without the assistance of special traffic signals.

A second concern with a Class 1 Bikeway is when the bike path closely parallels the adjacent arterial. At the intersection, the bike path could be diverted into the intersection to be incorporated into the traffic signal. Several problems also exist in this scenario. Bicycle traffic which is on the bike path can come into conflict with pedestrians near and in the intersection. Such a scenario also increases the likelihood of cyclists to ride their bikes in the crosswalk. Though it is legal to walk a bicycle in a crosswalk, in California, it is illegal for a bicyclist to ride a bike in the crosswalk. Since most cyclists prefer to ride their bike than walk it, this scenario encourages illegal behavior.

An alternative would be to merge the bike path traffic with street traffic just prior to the intersection. Two problems with this is that this forces bicyclists into the street system at the most dangerous location - the intersection. It also increases the likelihood of wrong way cyclists on the streets, since it would be unlikely to maintain one-way traffic on the bicycle path.

Mr. Brian Foucht

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January 7, 1992

A better and more customary method is to use Class 2 Bikeways, bike lanes, on the arterials and parkways within the urban area. This places the cyclist in a separate on-street space. It also allows for the most effective use of traffic controls for both bicycles and motor vehicles. Class 1 Bikeways are more appropriate along an open space corridor or along a major transportation facility where grade separations are provided. The proposed street cross section standards that we recommend for Newman include on-street bike lanes for all non-local streets. These street standards are shown in Exhibit C.

It is recommended that the proposed Class 1 Bikeways along the Ring Road/Parkway, the connecting arterial between the ring road and Stuhr Road, and on Hoyer Road be reclassified as Class 2 Bikeways.

Finally, as we understand it, there has been substantial debate on the Ring Road. It was our thought that an alternative was to be developed, so we could comment on it. If an alternative is developed, we would be happy to make comments on it.

If you have any questions, please feel free to call us.

Very truly yours,

*Tim Taira/gka*

Tim Taira, P.E.  
Branch Manager

Enclosures

206-003M.6GA

cc: Art Lorenzini, Claremont Homes  
Bob Walter/Phil Bodem, Morrison Homes



## QUALIFICATIONS AND EXPERIENCE OF TJKM

### A. Background Information

TJKM, a California corporation, provides professional transportation engineering services to cities, counties, governmental agencies, and the private sector. Since our principals and associates have served as key personnel in local government, we tend to be very practical in our approach to transportation assignments and not take the theoretical viewpoint that many consultants must be forced to assume.

Our principals and associates, for example, bring to each assignment an average of over 20 years of professional transportation experience, essentially all of which is in direct involvement with local government. With this strong background in city and county governments, we feel we have the sensitivity to the concerns of citizens, boards, councils, commissions, staff members and the general community which is necessary to produce a practical and implemental approach to the problem at hand. Our strong governmental background enables us to glean the best points and strengths in programs of various local jurisdictions and incorporate this information in each of our professional engagements. We feel very strongly that this governmental clientele, along with the experience and creativity of our staff, enables us to more realistically approach each of our projects. The test of this, of course, is the success we have had on our completed projects, and we invite contact with any of our former clients to verify our qualifications.

TJKM has been in existence since 1974 and in that time has completed over 3,000 projects in more than 200 California cities and counties. Our firm has offices located in Pleasanton, Sacramento, Fresno, Walnut Creek, and Santa Rosa. We currently have 26 professional level transportation engineers and planners on our staff, along with 22 support staff members. Also, our part-time personnel usually number from five to ten persons each month.

In addition to relying upon our well qualified personnel, we also make extensive use of modern equipment and methods. Our more than 40 in-house micro-computers are used in a variety of engineering uses, including regional and local transportation modeling, traffic signal timing, intersection capacity calculations, and other traffic engineering and planning applications.

### B. General Experience

The following is a description of representative types of projects performed by our personnel.

#### Circulation Studies

We have prepared general plan circulation elements, major street master plans, or citywide transportation analyses for the Cities of San Mateo, Dublin, Fremont, Newark, Morgan Hill, Watsonville, Pittsburg, Selma, South San Francisco, Stockton, Lynwood, Roseville, Rocklin, Petaluma, Pleasanton and other cities. The *Pleasanton Plan* won the American Planning Association's Distinguished Leadership Award for 1987. The Circulation Element, prepared by TJKM, included traffic volume projections for intersections, arterials, and freeway segments; specific improvements to maintain acceptable operations at build-out of the General Plan; a schedule of roadway improvements; a transit plan; a bicycle plan, and a comprehensive set of effective programs to carry out the desired goals and policies of the City.

We have conducted numerous areawide transportation analyses involving review of short-term traffic

problems resulting from a comprehensive long-range land use and traffic study. Projects of this type in the Cities of Fremont, Newark, Pittsburg, Roseville, Rocklin, Ukiah and Milpitas have been completed. Each of these projects involves major citywide traffic and land use analyses. The Fremont study included an analysis of the impact of not constructing certain planned but unbuilt sections of the freeway system in the Fremont area.

In the Milpitas project, we developed a computerized traffic model which serves as an on-line basis for the City to review and test land use developmental proposals from the standpoint of traffic impacts. In Pittsburg, five and ten-year incremental traffic projections were developed as a part of a larger project.

We also have extensive experience with projects involving access needs to major highways. The Fremont study concentrated on freeways and their impacts. A recent study for the City of Newark analyzed the need for specific modifications at two interchanges with consideration of traffic generation by a major regional development adjacent to the highway.

## **Transportation Modeling**

Our experience in computer program development and applications is strong. We have developed customized transportation software for specific applications, implemented programs on different types of equipment, and provided user training. Our computer modeling experience includes program modification and application to determine future traffic volumes under different scenarios for land use and roadway network configurations. We have modeled the greater San Francisco Bay Area. Other projects include modeling for the Cities of Fremont, Newark, Sacramento, Stockton, and Milpitas and the Counties of El Dorado and Placer.

In the Tri-Valley area of Alameda and Contra Costa Counties, we have conducted a comprehensive transportation study covering the Cities of San Ramon, Danville, Dublin, Pleasanton, Livermore and surrounding unincorporated areas. We developed traffic projections for future years and for build-out conditions considering all approved, proposed or contemplated projects. We also considered ABAG projections of growth throughout the area. The study area encompasses two MTC Superdistricts and includes detailed analysis of the remaining 33 Bay Area Superdistricts and their impact on the study area. The current updated report and an earlier report are being used directly or indirectly by all public agencies in the area, as well as by Caltrans, MTC, BART and ABAG. Our study and report has successfully withstood detailed scrutiny by Caltrans and by opponents of growth in the Tri-Valley area. It has also been reviewed extensively for its legal adequacy in providing comprehensive and accurate projections of future traffic conditions.

## **Traffic Safety Studies**

We believe we are one of the leaders among transportation consulting firms in the number of successfully completed projects of the type funded by the Office of Traffic Safety (OTS). And for this reason, we are very familiar with the requirements, general procedures, and practices of OTS in Sacramento.

On most of the OTS funded projects we are involved with, we are analyzing existing locations and are looking for ways to reduce the accident experience, the potential for accidents, or to alleviate congestion. We feel these types of measures are best served through a careful analysis of existing conditions and the use of proven methods tried and tested by experienced traffic engineers.



TJKM is recognized as a premier investigative team capable of analyzing and recommending improvements to enhance traffic safety, and thereby minimize litigation. TJKM was picked by Caltrans to perform the first-ever contracted safety investigations in the State. It performed so well on the first contract that TJKM was awarded a second such contract.

## **Traffic Signal Operations and Design**

TJKM has prepared traffic signal construction plans for 60 Northern and Central California agencies at some 434 intersections. Our current rate of design is estimated at 30 to 40 intersections per year.

Our design services are being provided to agencies of various sizes and traffic signal design capabilities. Several of the agencies have in-house traffic engineering and traffic signal design capabilities, but have selected TJKM to prepare signal design plans, specifications, and estimates. Agencies in this category include Fresno, Concord, Stockton, Fremont, San Mateo, and the Counties of Alameda and Sacramento. Many of the other agencies for which we have provided services do so because of the lack of in-house signal design expertise. We are comfortable working with either type of agency.

We have also completed a number of other projects in which traffic signal evaluation and design experience are key factors. For example, the Federal Highway Administration selected TJKM to be the prime contractor on a nationwide research project to evaluate various aspects of traffic signal operation. In this project we did extensive field research on traffic signals related to the subjects of left-turn phasing, all-red clearance, uniform yellow clearance intervals, and flashing operation of signals during low-volume periods. We have also conducted major system signal timing projects in the Cities of Oakland, Santa Monica, Concord, Walnut Creek, Bakersfield, Lodi, and Humboldt County.

## **Traffic Impact Studies**

We have conducted numerous traffic impact studies as part of an Environmental Impact Report (EIR) or as a separate analysis. These studies have included the full range of types of developments including residential, retail, office, industrial, and recreational.

The size of the developments vary from a few homes to over 3,000 homes, from one store or restaurant to regional shopping centers, from a small office building to large business parks as well as most of downtown San Francisco, and from one industrial building to large industrial parks. All modes of transportation have been considered, including automobiles, trucks, transit, pedestrians and bicyclists. These studies have been performed throughout most of Northern and Central California.

TJKM has completed traffic analyses as part of large EIR's for the comprehensive Downtown Plan and for the Yerba Buena Convention Center in San Francisco. The Downtown Plan is expected to be the document to provide guidelines for future allowable development levels in San Francisco. All aspects of transportation were involved, including automobiles, trucks, buses, trains, pedestrians and taxis.

## **Coordination with Caltrans**

TJKM has extensive experience in working with the California Department of Transportation (Caltrans). Many of our traffic impact studies either as part of an EIR or as a separate analysis involve considerations of impact on State highways and freeways. We often evaluate existing and future operations of highway intersections and freeway interchanges which are under the jurisdiction



of Caltrans. We monitored and reviewed a Caltrans multi-modal study of the State Route 85 corridor for the City of Saratoga. Our work involved an on-going evaluation of the study including review of the alternatives analysis and of the design of interchanges and transit facilities.

TJKM has also worked closely with Caltrans to prepare a traffic analysis of freeway improvements on both I-580 and I-680 in Pleasanton. These improvements include two new interchanges, one modified interchange, and several miles of auxiliary lanes. Assistance in the preparation of preliminary geometric plans was provided by TJKM for this project which is to be funded by the North Pleasanton Improvement District (NPID) through the City of Pleasanton.

## **Comprehensive Traffic Studies**

We have been involved in projects concerned with major traffic generators in the Cities of Oakland, San Francisco, Newark, Fremont, Milpitas, Fresno, Sacramento and Tiburon and the Counties of Marin, Nevada, and Sacramento. We have been involved in major downtown traffic studies which include assessment of parking and circulation needs for existing and future conditions. These have included recent studies for the Cities of San Mateo, Menlo Park, Tiburon and several others.

We conducted a comprehensive traffic study for the City of Sausalito. A heavily-traveled arterial extends the length of Sausalito, and the City has received proposals for major development which would add traffic to an existing overcrowded street system. In the study, we developed guidelines by which the City could conveniently analyze each proposal and determine relative impacts of various land use types so that traffic from various types of land use development and associated impacts could easily be determined. A land use quota system for traffic generation was developed in the study.

## EDUCATION

B.S. in Civil Engineering - Fresno State University, 1961

## REGISTRATION

Professional Engineer in California:  
Traffic Engineer - Certificate No. 0088

## AFFILIATIONS/ACTIVITIES

- Institute of Transportation Engineers (ITE) - Fellow Membership
- Officer/Charter Member Central California Section
- Editor, Western ITE
- Member, Several ITE Technical Committees
- Charter Member San Joaquin Traffic Coordinating Committee
- Lecturer in Traffic Engineering - Fresno State University

## PROFESSIONAL HISTORY

1989-Present	TJKM Associate
1987-1989	City Traffic Engineer, San Leandro, California
1961-1987	Assistant County Traffic Engineer, Senior Engineer, Fresno County, California

## REPRESENTATIVE EXPERIENCE

MUNICIPAL TRAFFIC ENGINEERING - City Traffic Engineer, City of San Leandro and Assistant County Traffic Engineer, Fresno County.

Performed and/or responsible for traffic signal design, operations, and maintenance, traffic impact studies, regional street and highway system plans, street and highway improvement program, geometric design/re-designs, safety guides, and maintenance of traffic control devices. Traffic engineering for 13 cities in Fresno County expert witness in accident cases and chairman of the safety commission.

CONSULTING TRAFFIC ENGINEER - Served as manager of the Fresno office. Performed all administrative functions associated with operating an office. Performed and/or responsible for a great variety of private and public studies. Following is a partial list:

- EIR's and traffic impact studies of various types including commercial developments, residential subdivisions, schools, hospitals, and solid waste sites.
- Evaluate/update circulation elements of several plans and specific plans.

- Safety studies for Caltrans. Includes analysis of high accident locations and recommended mitigations. This was the first of its kind in the State of California. Similar studies for entire stretches of freeways and conventional highways in preparation for widening highways.
- Designed and modified signing and striping plans for Caltrans. Includes freeways and conventional highways.
- A wide variety of traffic engineering studies including speed zoning, access studies, road alignments, neighborhood designs, channelization, inventory of traffic control devices, etc.



## EDUCATION

B.S. in Civil Engineering - North Dakota State University, 1956

## REGISTRATION

Professional Engineer in California:  
Traffic Engineer - Certificate No. 0178

## AFFILIATIONS/ACTIVITIES

Institute of Transportation Engineers (ITE) - Member  
- Officer, Central California Section - Founding Member  
- Lecturer and instructor in Traffic Engineering at California State University, Fresno

## PROFESSIONAL HISTORY

1983-Present	TJKM - Senior Associate
1964-1983	City Traffic Engineer, Fresno, California
1959-1964	Traffic and Lighting Engineer, Torrance, California
1956-1959	Civil Engineering Associate, Burbank, California

## REPRESENTATIVE EXPERIENCE

MUNICIPAL TRAFFIC ENGINEERING - City Traffic Engineer, City of Fresno. In responsible charge of traffic planning, traffic design, traffic operations, City parking operations (including five multi-level garages), and the City street lighting program. Direct involvement with the implementation of the 1964 General Plan and development of the 1984 General Plan. Review of traffic impact studies, direct involvement with the implementation of the Fresno Mall (18 city blocks) redevelopment project. In responsible charge of design, installation and maintenance of over 150 traffic signals.

City of Torrance - In responsible charge of establishing the newly created traffic and lighting department of the City of Torrance. Established and implemented four street lighting assessment districts, the last of which covered the entire City. In responsible charge of design, installation and maintenance of approximately 35 traffic signals. Updated the City's traffic signing and pavement marking programs.

City of Burbank - Served as assistant to the City Traffic Engineer. Designed signal systems and conducted traffic engineering studies.

TRAFFIC ENGINEERING PROJECTS - As a Transportation Engineering Consultant has completed over 200 traffic engineering projects throughout Central California. The following is a partial list of the types of completed projects: traffic impact studies for a great variety of proposed private and public developments; traffic safety studies; update of General Plan Traffic and circulation elements; parking studies; speed zone studies; access studies; Environmental Impact Reports; traffic sign inventories; freeway signing design; roadway alignment studies; traffic channelization designs; etc..

EXPERT WITNESS - Has been retained as an expert witness in the field of traffic engineering in more than 30 court cases.

Gregory K. Aldrich, AICP  
Senior Transportation Planner



## EDUCATION

M.C.R.P. in City and Regional Planning - Ohio State University, Columbus,  
1978

B.A. in Geography - State University of New York, Buffalo, 1976

## AFFILIATIONS/ACTIVITIES

American Institute of Certified Planners - Member

Institute of Transportation Engineers (ITE) - Associate Member

President of Central California Section

American Planning Association (APA) - Member

Past Section Director of Western New York Section

## PROFESSIONAL HISTORY

1989-Present TJKM

1985-1989 City of Irvine, California

1978-1985 Niagara Frontier Transportation Committee

## REPRESENTATIVE EXPERIENCE

**TRAFFIC IMPACT STUDIES** - Conducted traffic impact studies for proposed developments in central and northern California. Prepared circulation sections of EIR's. Reviewed, evaluated, and made recommendations to various city commissions regarding the traffic impacts of proposed commercial, residential, and industrial developments in the City of Irvine. Included analyses for General Plan amendments, zone changes, conditional use permits, and zoning compliance reviews.

**MUNICIPAL TRANSPORTATION PLANNING** - Served as Senior Transportation Analyst/Engineer for the City of Irvine for three years. Reviewed plans and studies, prepared consultant scopes of work, met with developers, wrote staff reports, made presentations to Transportation and Planning Commissions and the City Council, and provided on-going coordination between the Planning Department and other city departments and sections.

**PARKING STUDIES** - Evaluated requests for administrative relief from the City of Irvine parking ordinance, including analyses of shared parking for mixed uses.

**SITE DESIGN REVIEWS** - Evaluated site access, on-site traffic circulation, and parking layout for commercial, residential, and industrial development projects submitted to the City of Irvine.

**FREEWAY CORRIDORS** - Reviewed regional studies for three new freeway corridors proposed for construction in Orange County. Used the Irvine Transportation Analysis Program to analyze alternatives to determine impacts on the City of Irvine. Worked with technical advisory groups comprised of citizens and public officials.



HIGHWAY NETWORK DEVELOPMENT - Responsible for revising federal UTPS highway network for Buffalo, New York area to allow for full transit network compatibility. Included implementation of computer plotting capability, calibration of the model, and updating the base year region trip table. Responsible for 1990 federal aid and functional classification update for region.

TRANSPORTATION SYSTEMS MANAGEMENT - Responsible for administering annual federal paratransit grant program for the elderly and handicapped. Provided information and technical assistance to grant applicants. Participated in evaluating regional paratransit needs of elderly and handicapped.

DEMOGRAPHICS - Participated in development of a demographic disaggregation model for Buffalo region, including disaggregation of data from municipal level to transportation analysis zones. Responsible for testing and adaptation of auto ownership forecast methodology for region.

TRUCK STUDY - Project manager for regional truck study involving a counting/classification program and a route analysis for problems, potential solutions, and solution priorities.

BICYCLE PLANNING - Participated in preparation of regional bicycle master plan for Buffalo.

REGIONAL TRANSPORTATION PLANNING - Served as Senior Transportation Analyst for the Niagara Frontier Transportation Committee in Buffalo, New York for seven years. Responsibilities included travel data monitoring and maintenance, elderly and handicapped services, bicycle planning, land use and demographics studies, and light rail transit planning.

SAFETY ANALYSIS- Conducted a freeway safety analysis of roadside fixed objects. Made recommendations regarding upgrading guardrails and minimizing conflicts with fixed objects.

9/91

# Stanislaus County Office of Education

801 County Center Three Court Modesto, CA 95355 Tel. (209) 525-4900 FAX (209) 525-4984

MARTIN G. PETERSEN, Superintendent

January 8, 1991

Mr. Brian Foucht, Planning Director  
City of Newman  
P.O. Box 787  
Newman, CA 95360

REC-11  
JAN 9 1992  
CITY OF NEWMAN

By \_\_\_\_\_

Dear Mr. Foucht:

This letter is in response to the Draft Environmental Impact Report (DEIR) for the City of Newman General Plan. It specifically deals with the relationship between development in the City of Newman pursuant to the new General plan and the impact this development has on the Stanislaus County Office of Education.

The DEIR states "School services within the Planning Area is provided by the Newman-Crows Landing Unified School District." It makes no reference to the administrative and educational services provided by the Stanislaus County Office of Education: both of which are directly affected by land use development throughout the County, including the City of Newman.

To assist you in addressing the impacts on the Stanislaus County Office of Education, let me explain to you their function in the educational process.

The Stanislaus County Office of Education (SCOE) provides services to school districts and to children and students with specialized needs. The services are provided both to school districts and directly to pupils throughout Stanislaus County.

The SCOE provides business support services and educational support services to school districts in Stanislaus County. Business support services include, but are not limited to, such things as accounting and reporting, payroll, and data processing services. Educational support services include, but are not limited to, such things as library services, instructional media services, preschool education, and contract services such as nursing and psychological services.

The need for these services grows in proportion to the increasing number of students in the county. Thus, when the number of students in a school district increases, the need for support services to the school district by the SCOE also increases.

In addition, the SCOE provides an environmental education program for all sixth grade students in Stanislaus County.

The SCOE provides special education programs for students with exceptional needs throughout Stanislaus County. The special education program includes various programs for students with physical, mental, and emotional handicaps.

The SCOE also provides an alternative education program to students throughout Stanislaus County. This program provides an educational opportunity to students that are excluded from regular school campuses. The program includes pupils in the juvenile hall, students on probation, and students in residence homes. Many of the students are served in community school programs and in independent study programs.

Specifically, our studies have indicated that there is a direct correlation between the population of the County and the level of services which needs to be provided. In analyzing these impacts we use the following factors.

#### DIRECT EDUCATIONAL SERVICES

1. Special Education/Severely Handicapped  
Student Yield Ratio: 5.47 students per 1,000 student population
2. Special Education/Non-Severely Handicapped  
Student Yield Ratio: 1.28 students per 1,000 student population
3. Community School Program  
Student Yield Ratio: 2.33 students per 1,000 student population
4. Independent Study Program  
Student Yield Ratio: 5.99 students per 1,000 student population
5. Juvenile Hall Program  
Student Yield Ratio: 1.28 students per 1,000 student population
6. Head Start Program  
Student Yield Ratio: 10.15 students per 1,000 student population
7. Migrant Pre-School Program  
Student Yield Ratio: 12.36 students per 1,000 student population
8. Environmental Education Program  
Student Yield Ratio: 72.77 students per 1,000 student population

#### STAFF DEVELOPMENT AND ADMINISTRATION PROGRAMS

1. Staff Development Program  
Teacher Ratio: 33.33 teachers per 1,000 student population  
Administrator Ratio: 3 administrators per 1,000 student population



2. Office of Education Staffing  
Staffing Ratio: 1.93 per 1,000 student population
3. Instructional Materials Center  
Building Square Foot Ratio: 140 sq ft per 1,000 student population
4. Library  
Building Square Foot Ratio: 333 sq ft per 1,000 student population
5. Computer Center  
Building Square Foot Ratio: 25 sq ft per 1,000 student population

We therefore recommend that the DEIR be amended to include an analysis of the potential impact of the new General Plan on the Office of Education. We also recommend that the General Plan include policies which incorporate the Office of Education with the Newman-Crows Landing Unified School District in policies IV.H.1 through IV.H.6, identified on pages V-20 and V-21 of the DEIR. The only exception would be in referencing the Office of Education in collecting school facility development fees, since the Office cannot legally collect such fees.

If you have any questions or need additional information, please contact me at (209) 525-5063.

Thank you very much.

Yours sincerely,



David L. Hurlbut  
Assistant Superintendent,  
Business Services

DLH:pa  
foucht.ltr



R R M D E S I G N G R O U P  
*Architecture • Planning • Engineering • Interiors • Landscape Architecture*

January 8, 1992

Mr. Brian Foucht  
Planning Director  
City of Newman  
P.O. Box 787  
Newman, CA 95360

Re: Comments on Draft General Plan EIR

Dear Brian:

The following outline summarizes our comments on the Draft General Plan EIR.

<u>Page/Policy No.</u>	<u>Comments</u>
Page 3-8	The Draft EIR makes a comment that a policy to encourage "infill" <u>could</u> be developed. Infill often times is a "straw-man", particularly when the economic and infrastructural realities of proceeding with development on a larger scale in one contiguous area will tend to outweigh prioritizing infill development, which is often more costly. Further, removing <u>any</u> future development from the areas most likely to participate in large scale future infrastructure takes away the ability of the City to meet a 20-year infrastructure plan that benefits all the residents of the City. We would like to be advised on any City language changes in this regard.
Page 4-8 Policy 2A.9	This Draft General Plan policy response appears to be fairly focused in directing the total cost of street infrastructure to new development. When viewed in light of the proposed parkway system, this could be seen as an unfair burden for new development. Some effort needs to be made to assess circulation and infrastructure systems which are of area-wide benefit and to create a fiscal program which assesses cost on a city-wide basis rather than on new development only. The EIR must be more specific to define potential methods of financing public infrastructure.
Page 5-3	The Draft EIR refers to Figure V-1 which outlines the expanded water system for Newman. This exhibit is not located in the Draft EIR. Please clarify the EIR by providing Figure V-1. Further, we believe storage policies should speak to a combination of storage and wells, rather than just storage reservoirs.

G-35

3026 South Higuera Street, San Luis Obispo, California 93401 805/543-1794

1012 - 11th Street, Modesto, California 95354 209/544-1794

A California Corporation Victor Montgomery, Architect - License Number C011081



Mr. Brian Foucht  
Page 2  
January 8, 1992

Page 5-16  
and 5-17

The mitigation measures described by the EIR to alleviate impacts on police and fire service indicate that provisions for funding of these public safety facilities could be added to specific plan guidelines. We would caution that although specific plan areas will contribute an impact to the police and fire systems, these are public services which should be considered as a city-wide benefit and therefore, the financial mechanisms to implement and upgrade both of these departments should be included in the city-wide capital improvements program or other city-wide financing operation. This mitigation measure should present a financing proposal which addresses the area-wide nature of the impact.

Page 5-19  
thru 5-21

We are concerned with Figure 5-4 which illustrates the general locations for school sites. At this point, the specific residential types and demographics have not been evaluated to reach any clear or meaningful conclusions for locations of schools. Although the EIR states that the potential sites are intended for illustrative purposes only, we would feel it most beneficial to eliminate this figure and defer to the Newman Crows Landing Unified School District (ad hoc committee) for more specifics.

Page 6-1

Presently the City possesses approximately 12 acres of developed parkland. This is a ratio of approximately 2.59 acres per 1,000 population. As set forth in the Subdivision Map Act, the City cannot require dedication of land or the payment of in-lieu fees which exceed the provision of three acres of park per 1,000 persons unless the amount of existing neighborhood and community park area exceeds that limit. In which case, the City may require up to five acres of park per 1,000. As we read this, this presents some concern as to the appropriateness and legality of the City increasing their park standards to five acres per 1,000. Additionally, Figure 6-1 which shows generalized locations for new park sites and specifies approximately six new neighborhood parks within the Northwest Quadrant. Pursuant to our earlier comment about the generalized location for schools, we feel this exhibit should be removed from the EIR.





Mr. Brian Foucht  
Page 3  
January 8, 1992

The development and location of parks as specified in many of the City's General Plan policies should be joint-use facilities with schools, developed as linear parks and open space buffers or any number of configurations. The EIR should be limited to specifying the total number of new park acres required for population pursuant to the legal assessment of the Quimby Act and defer to specific plans and other implementation processes for specific facility locations and design.

Finally, all park facilities should be designed to be storm drain detention areas as well. We have previously made this comment.

Page 7-7

Agricultural Lands -- Expansion of the City's sphere of influence from the 1976 General Plan boundaries and conversion of the majority of the planning area from agricultural land to urban uses is an impact that will not be able to be mitigated. However, a statement of overriding concern can be adopted due to other beneficial effects to the City.

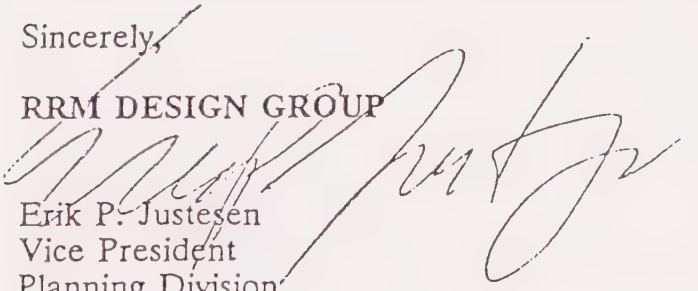
Page 7-11

In reviewing the impacts and mitigation measures for the biological resources, the Swainson Hawk seems to be the largest issue in the area. We are concerned about being held accountable to a mitigation measure for contributing to a land banking plan or funding program to purchase a regional-wide foraging habitat area, when this program has not yet been developed. This would leave us in a position that even if we were willing to contribute funds for mitigation or participate, we would not be able to until such a program was established, leaving us without the ability to mitigate and move on through the EIR process.

This concludes our comments. If you have any questions, please don't hesitate to call.

Sincerely,

RRM DESIGN GROUP

  
Erik P. Justesen  
Vice President  
Planning Division

cc: Mr. Steve Hollister

v/ej-nwman.eir



# THOMPSON-HYSELL INC.

ENGINEERING ■ SURVEYING ■ PLANNING

1016 12th Street ■ Modesto, CA 95354 ■ (209) 521-8986 ■ FAX (209) 521-9045

January 8, 1992

## M E M O R A N D U M

TO: Newman Planning Commission  
Newman City Council

RE: Draft General Plan  
General Plan Draft EIR  
Utility Master Plans Dated 12/12/91

We have had a number of meetings with staff regarding the subject item. We have been asked to comment on a number of items, and have spent a lot of time reviewing the City documents. With some minor fine tuning, the Master Utility Plan documents are sufficiently refined to serve the City well.

### A. RING ROAD

1. We are not convinced of the need for the Ring Road with its current proposed width. Its location seems fine, but even if it is not adopted, the proposed utility main can function by being located in local streets or along property lines. We recommend further fine tuning as the Ring Road discussion evolves.

### B. WATER

1. It is our understanding that fireflow will be 1,000 gpm for hydrants located in single family residential areas.
2. Regarding policy IV-1 on page V-4 of the DEIR, it is indicated that:

"IV-1. The City shall prepare and periodically update the City's Water System Master Plan, Sewer System Master Plan, and Drainage System Master Plan consistent with the land use patterns and densities/intensities specified in the General Plan."

Accordingly, we believe the standards for water, sewer and storm drain should be removed from the General Plan, and Draft EIR, and should, more appropriately, be placed in the Master Plans. Clearly, we are concerned about standards in the General Plan (GP) and Draft EIR (DEIR) that leave little flexibility or are unclear in regard to water, such as:

- Water Storage;
- Fire Hydrant Spacing;
- Fire Flow;

As you well know, on page V-3, The water discussion suggests that additional reservoirs are needed to satisfy future storage requirements. The rationale for storage reservoirs include the need to have water during fire or other natural disasters. However, this can also be satisfied by providing backup generator systems to the water well electrical system to provide water production during times of emergency. This usually can be accomplished at a cost less than the storage reservoirs.

We understand the Utility Master Plan update will include the concept that water supply will be a combination system of storage reservoirs and new wells.

#### C. STORM DRAINS

1. We have discussed multi-use storm drainage facilities, but the draft DEIR only mentions detention basins. It is important to make it clear that joint-use school & park detention basins are encouraged in the DEIR and General Plan. We recommend this be entered in the text; it does appear in the General Plan Policy, but not in the DEIR.
2. As we understand it, the Master Plan will allow for flexibility on watersheds, allow for various discharge techniques, and allow interim facilities in concert with the ultimate Master Plan. We recommend this be entered in the text.



D. SEWER

1. Page V-9 - The discussion regarding financing the sewer treatment plant expansion by a City wide fee basis is correct, An appropriate tool would be the sale of revenue bonds which are retired by the collection of connection fees. The success of this program is determined by the likelihood of a buildout scenario to support the debt retirement.
2. Page V-7 - The average wastewater generation factor cited for residential use is 100 gallons per capita per day. This is a common standard, but is high based on our experience. Measured flows in some communities only amount to 90 gallons per capita per day, and we have seen studies where flows are actually as low as 75 gallons per capita per day. The 100 gpcd may be especially high given that new service will have conservation oriented construction techniques.

As we understand it, the Master Plan will allow for flexibility on watersheds, various discharge techniques, and allow interim facilities in concert with the ultimate Master Plan. We recommend this be entered in the text in concert with the ultimate Master Plan.

E. FINANCING

Financing concepts should be added to the General Plan and DEIR. In respect to financing and building necessary for public improvements, the following shall apply. We recommend the following language be entered in the text.

- a. All improvements do not necessarily have to be installed prior to occupancy of homes on related development, but mechanisms to ensure that such improvements will be completed as approved by the City, will be acceptable.

January 8, 1992

Page 4

- b. All required infrastructure improvements may be financed by a variety of mechanisms, including, but not limited to any one of or combination of the following:
- Pay-as-you-go by individual developer.
  - Localized Assessment District by individual and/or groups of developers and/or the City;
  - Area and/or City wide Assessment Districts by Individual and/or groups of developers and/or the City;
  - Reimbursement Agreements, and/or
  - Fees and/or Fee Credits
- c. Reimbursement Agreements can be up to 20 years.
- d. Assessment District can be any type of financing mechanism allowed by state statute.
- e. Statutory permissible revenue bonds can be a method of financing.

Very truly yours,

THOMPSON-HYSELL INC.

A handwritten signature in cursive script that reads "Randall O'Dell".

Randall O'Dell



RECEIVED  
JAN 09 '92

January 8, 1992

Yosemite Community College District

Mr. Brian Foucht  
Planning Director  
City of Newman  
1162 O Street  
Newman, CA 95360

CITY OF NEWMAN

Box 4065 / Modesto, CA 95352 / 2201 Blue Gum Avenue / (209) 575-6530

Dear Mr. Foucht:

The Yosemite Community College District is submitting this letter in response to the Draft Environmental Impact Report (DEIR) for the City of Newman.

The DEIR does not indicate any reference to the Yosemite Community College District. Indeed, it only deals with the Newman-Crows Landing Unified School District. However, any increase in the overall population, employment and business base increases the needs for students preparing for a four year college, students requiring vocational training, and students needing to expand or change their work skills based on a changing employment market. It needs to be noted that only a small percentage of these students are young adults. A large portion of the student base for the community colleges are adults over the age of twenty-five.

When we do our long term planning and develop anticipated student load based on the potential population growth in our District, we find that there is an increase of 48.02 students in the Community College System for every 1,000 person increase in population. Further, we find that our administrative facilities must increase at 11.29 square feet for every new full time equivalent (FTE) student.

The Yosemite Community College District recommends that the DEIR be amended to include a discussion of how the Yosemite Community College District will be impacted by the growth anticipated for the new General Plan. Yosemite Community College District should also be included in the General Plan policies being adopted concerning the Newman-Crows Landing Unified School District. Specifically, these are policies IV.H1 through IV.H6, which are found on pages V-20 and V-21 of the DEIR. It should be noted, however, that a community college district is not legally authorized to collect school facility impact fees.

Please contact me at (209) 575-6530 if you have any questions or need additional information.

Thank you very much.

A handwritten signature in cursive script, reading "Edwin T. Harte", is positioned above the typed name.

Edwin T. Harte  
Assistant Chancellor, Business Services

EH:sm

G-42



# CLAREMONT HOMES

A California Limited Partnership

General Partners  
M. W. Conley, Inc.  
The Lorchaven Company

5726 Sonoma Drive  
Pleasanton, CA 94566  
Phone (510) 846-6601  
FAX (510) 846-7303

January 9, 1992

Honorable Mayor and City Council  
Member of the Planning Commission  
City of Newman  
1162 "O" Street  
Newman, CA 95360

## Re: Public Hearing on the Draft General Plan on January 9, 1992

Ladies and Gentlemen:

Please find attached material from our consultants referable to their comments to this point on the Draft EIR (DEIR). In addition, as the DEIR contains many policies from the General Plan Policy document, as an addendum to this submittal, we also submit again for the record our previous comments dated October 8, 1991, with exhibits; finally, in this regard, if we have further written comment prior to the deadline for written comments to the DEIR, we will submit them at that point.

The balance of this particular letter outlines certain critical issues that we think need to be responded to, at this time, in the DEIR as follows:

### 1. County Agricultural Element

As many of you well know, the County is preparing an Agricultural Element, with meetings to be held on January 14, 1992 and January 30, 1992, required written comments to be submitted by January 31, 1992, and a public hearing tentatively scheduled for February 20, 1992.

#### Our Recommendations in this regard are:

- a. You forward a written response to the County prior to January 31, 1992 indicating you are in the process of coming to closure on expansion of your urban boundaries.
- b. You request the County to modify those areas in their maps and text that you ultimately seek to annex through this General Plan.

- c. The essence of this recommendation is that you modify the language of the DEIR on page III-7, Policy III.B.2. to say that "The City shall encourage the County to retain agricultural use on land surrounding Newman pending their annexation to the City; *however, the City will clearly articulate their desires to annex all those lands in their General Plan Boundaries to the County, and will indicate to the County that the County should not adopt policies that are contrary to the City's desire to annex these areas.*
- d. In this regard, to a degree, we concur with the mitigation measure at the top of Page III-8, on in-fill, *but we request we be allowed to be actively and thoroughly involved if the City determines to add policies to this General Plan to encourage infill; particularly in respect to arriving at a definition of infill.*

2. Expeditious Processing

We concur with housing policy III.A.10 on page III-10, and we assume this includes processing of projects that have prior written agreements in this regard.

3. Affordable Housing

We concur with the concepts of affordable housing, as well as with Policy III.A.12 on page III-10, which says "Consistent with other City objectives, the City shall ensure that its policies, regulations, and procedures do not add unnecessarily to the costs of producing housing."

*In this regard, however, we must say that we feel the City is adopting policies that are clearly in opposition to this as follows:*

- a. Current street right-of-way proposals etc., are contrary to affordable housing

Our Traffic Consultant, TJKM, in the attached letter, has written extensively about the proposed street and traffic policies; in this analysis, they indicate where they think certain street and traffic standards are unnecessarily overdone. *We request you adopt the TJKM recommendations.*

- b. All necessary Facilities do not need to be built before occupancy

Housing Policy III.D.4 on page III-11 runs counter to affordable housing; necessary facilities do not in many cases need to be available prior to the occupancy of residential projects. This policy clearly needs to be modified to read as follows: *"The City shall develop mechanisms to ensure that necessary public facilities and services are constructed and completed at the time they are needed".*

c. Joint Use Facilities should be strongly recommended

Joint Use Facilities encourage affordable housing; lack of them unnecessarily increase the cost of housing; these policies should be strongly emphasized as follows:

- Add for storm drainage on page V-14 under General Plan Policy Response:

*"The City shall encourage the use of joint-use storm drain - park facilities."*

- Add on page V-20 under Schools Draft General Plan Policy Response:

*"The City shall encourage the use of joint-use school-park facilities"*

- Add on page III-11 under services to support Housing:

*"The City shall encourage the use of joint-use school-park-storm detention facilities."*

4. Public Facilities

As we have indicated before, this section sets forth some good ideas, but as indicated by our engineers, there are areas of clarification necessary. Further, we believe that the following should be considered:

a. Implementation

Policy IV-1 on page V-4 should add language that says: *"At the Direction of the City Engineer..."*

b. Groundwater Policy

On page V-5 under mitigation measures, the DEIR suggests policy language that indicates no new development should take place until the CCID study is complete. We believe this unnecessary, as residential development acreage normally takes far less water than does comparable agricultural acreage.

c. Police and Fire

Mitigation Measure on V-16 and V-17 request adding language for specific plans to contribute to public safety facilities; we believe such language should indicate that it should be clear that it should only be for *"fair share"*.



d. Schools

- On page V-20, under policy IV.H.4, we recommend the insertion of the following clause at the end of the last sentence as follows:

*"... including, but not limited to the implementation of joint-use school-park-storm detention facilities..."*

- On page V-20, policy IV.H.5 should be modified; because as it is now written, it is inappropriate. For example, in Tracy, you now have schools completed, for which there are no students. Further, on October 8, 1991, our school consultant wrote and asked that this language be modified. He said at that time that, "Due to the fact there are state guidelines regarding eligibility and school facility capacity use, I recommend modification to Policy IV.H.5., as follows:

*The City shall work with the Newman-Crows Landing Unified School District to ensure that school facilities are planned and constructed, pursuant to state guidelines and policies, to meet future student population needs.*

We continue to concur with this recommendation, and we believe the City should also.

5. Parks

Once again, our consultants have commented that your requirements for park land do not meet State statute. They should be modified to be in conformance.

\* \* \* \* \*

Letter to City of Newman  
January 9, 1992  
Page 5

We thank you for your consideration in this matter, and if we have further comments, we will make you aware of them. In addition, if you should desire to discuss these areas with us further, we would be happy to do so.

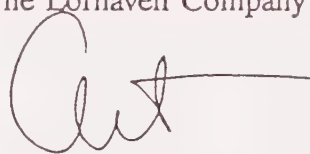
Very truly yours,

MORRISON HOMES

A handwritten signature in cursive script that reads "Bob".

Robert Walters  
Regional Manager

CLAREMONT HOMES  
By: The Lorchaven Company

A handwritten signature in cursive script that reads "Art".

Arthur L. Lorenzini, Jr.  
President

attch.

1/9/92

Subject - Comments on the adequacy of  
the Draft E.I.R.

attention: Brian Toucht - Planning Director <sup>new</sup>

Location of project: Marginal Agriculture Land  
Not under The Williamson Act

Parcel Numbers - 049-4207-720  
049-4208 720

Contact Person / Thasmae Rae 17055 Crow's Rd  
Crow's Landing

Mark Gihman  
3132 Mason Way  
Modesto, Ca. 95352

a Written Response is Requested to  
the following Issues.

The General plan still fails to address  
and prioritize the LaCos Mandate Recommendation  
for land use. Marginal agriculture and  
Non-Williamson Act properties WILL be  
evaluated properly.

No mention of existing water rights (CCZD)  
and the continued delivery of (CCZD) water  
to parcels now in agricultural production.  
These parcels could possibly be  
eliminated <sup>there</sup> <sup>established</sup> the drainage rights by  
the planned work way.

The general plan does not provide  
an easement or off for your design.



light (L2) and heavy (H2) industry -  
in fact the proposed zoning still  
isolates these parcels with the  
proposed park way.

- The proposed parcels will be  
surrounded on two sides by  
Residential zoning. Agricultural  
& residential subdivisions are not  
good neighbors.
- The proposed parkway does not  
recognize the existing traffic  
contures and patterns that now exist.  
Nor does it assess the air pollution for  
this area project. It doesn't recog.  
The inability of a farmer to farm when  
parcels are divided — all these and  
other pertinent items will devalue this  
property.
- Your statement that you had contacted many  
citizens and land owners concerning the L/H.  
— who, when and how were these contacts  
made? I have never been contacted for  
any
- The statement from planner and consultants  
about "fine tuning" is not sufficient.  
This is a "plan" — a legal document and  
needs to be in constitutional language.  
No fine tuning <sup>needs to</sup> "be in writing"

Naomalu Re

THE LAW OFFICES OF  
**HOUSE, HOUSE & PERKINS**

AN ASSOCIATION OF ATTORNEYS

JOHN S. PERKINS  
JACQUELINE A. ANDERSON

STANLEY J. HOUSE  
JOHN J. HOUSE  
CRAIG M. GARRITY

909 COLEMAN AVENUE  
SUITE 204  
SAN JOSE, CALIFORNIA 95110  
TELEPHONE (408) 275-6967  
FAX (408) 275-8872

January 9, 1992

Brian Foucht  
Planning Director  
City of Newman  
1662 O Street  
Newman, California 95360

VIA FAX

Re: Newman Draft General Plan EIR  
Hearing: 1/9/92/Gomes Property

Dear Mr. Foucht:

As you know I represent the Gomes family, owners of APN 026-2108-720, located in your planning subarea "L". We are extremely distressed that, thus far, the City has chosen to place all properties in subarea "L" east of Upper Road and North of Hallowell Road in the Urban Reserve category. The City has never, so far as I know, justified in writing the reason for this decision, or how its residential land use studies or calculations would justify this result.

The draft EIR is deficient in several respects regarding the properties in the area I have referred to. The deficiencies are as follows:

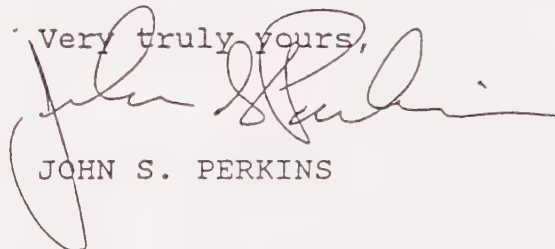
1. Your consultants have correctly pointed out that LAFCO annexation policies exist that deal with the issue of encouraging orderly urban growth. They have also pointed out that proximate urban growth shall occur (LAFCO policy 103-03). However, they have failed to point out that Section 200 of the LAFCO standards for review of proposals for changes (specifically section 201) specifically discourage annexations which thereafter create agricultural islands not logically cut off from urban uses by streets or other logical physical conditions. (Subsections 03 and 04). Further policy 201-03-036 specifically discourages annexation (and by analogy planning) decisions based on land speculation or other motives not in the public interest. We are not

impressed that some lands in the northwest planning area may have been included as a result of potential financial benefits to the City generally from development in that area.

2. As stated above, there is no explanation in the Draft General Plan or the Draft EIR as to the reasons for exclusion property in our area from the Urban Service Area.
3. There is no explanation in the EIR why subarea "L" is the only urban residential designation which does not use a public street as a boundary for the urban service area.
4. There is discussion at page VII - 5 that agricultural noise, odors, dust and pesticide exposure may have adverse effects on new residents. This particularly applies to the Gomes property. However, you have not addressed mitigation measures for this circumstance. The logical mitigation measure is to create a physical separation, i.e.: Hallowell Road.
5. Section VIII does not address problems or mitigation measures regarding the use of agricultural chemicals adjacent to urban development at all.

Please submit this into the record at your January 9, 1992 EIR hearing. Please give a copy of this letter to each of the council members for their consideration. It is our request that the urban reserve area boundary be modified coextensive with Hallowell Road so as to conform to LAFCO policies and so as not to severely damage the Gomes property.

Very truly yours,



JOHN S. PERKINS

JSP:emt  
cc: Client



JANUARY 9, 1992

RECEIVED

JAN 13 1992

Members of the Newman City Council, Planning Commission, and Citizens of Newman; CITY OF NEWMAN

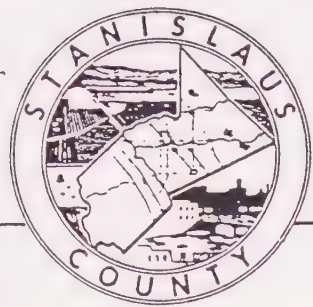
All of us here would like to resolve the conflicts of a project that will affect the citizens of Newman and residents of the county that live where the Parkway road is proposed. This Parkway Road is a destructive dream of certain Planning Commission Members and the Mayor of Newman. It is impossible to believe that after several times the majority of us, the media, and different organizations have shown the negative financial impact to the city of Newman, the lost of property rights and homes of those who live in the route of the Parkway Road, the increase in pollution, the contamination of drinking water, destruction of natural resources; that you have not changed your plans and forget the roadway proposed!

I have been attending the planning commission meetings, and with all due respect, the vote of some planning commission members shows possible conflict of interest. One of the members has even stated, "... sooner or later we will have to go through somebody's living room..." Shame on you! Would you like it if somebody would go through your house and destroy it? Do you think that we are here to accept your destructive plans and self-interests?

These plans have been made from individuals who have destroyed the peaceful lives of other cities. The growing the small cities will never alleviate universal problems but will create new ones. The growing of the City of Newman will bring a negative financial impact to Newman. You will never see enough industry to compensate the cost of maintaining this new city. We are a farming community between mountains and the best ports are along the coast.

Let's see if today will be the beginning of the City Planning Commission, the City Council, and the Mayor, understanding that it is time to turn around. It is best to plan slowly and carefully making sure we have the resources than hastily planning and wasting resources for nothing.

*Antonio M. Cordeiro*



# Stanislaus County

## Department of Public Works

1100 H STREET  
MODESTO, CALIFORNIA 95354

January 10, 1992

Mr. Brian Foucht, Director  
Planning Department  
City of Newman  
P.O. Box 787  
Newman, CA 95360

Dear Mr. Foucht:

SUBJECT: Draft EIR - Newman General Plan

- ADMINISTRATIVE DIVISION (209) 525-6550
- ENGINEERING DIVISION (209) 525-6552
- BUILDING INSPECTION (209) 525-6557
- TRANSIT OPERATION (209) 525-6552
- ROAD DIVISION (209) 525-4130
- SANITARY LANDFILL (209) 837-4800
- EQUIPMENT DIVISION (209) 525-4145
- BUILDING MAINTENANCE (209) 525-4108
- FAX (209) 525-6507

RECEIVED  
JAN 13 1992  
CITY OF NEWMAN

By \_\_\_\_\_

After reviewing the draft EIR we have the following comments on  
Chapter IV - Transportation and Circulation:

1. Page IV-3, first paragraph. "It is expected that more refined traffic analysis will be performed in conjunction with all major land use development projects in the city." We assume this will allow Public Works to review and comment on possible traffic impacts associated with future development within the Planning Area.
2. Page IV-4, second paragraph. It is stated "that approximately 15 percent of the workers living in Newman will work outside the Planning Area, and that only 3 Percent of the jobs in Newman will be filled by workers outside the Planning Area". How many trip ends does this represent? Will this have any impact on roads outside the Planning Area? The final EIR should address this issue.
3. Page IV-4, third paragraph. At build out of the Planning Area it is anticipated that you will have "a much more balanced city than it is today", and that will generate a relatively low percentage of trips oriented outside of Newman. Traditionally, jobs come after the new housing which results, at least in the short term, in a commuter community. This scenario needs to be also addressed.
4. Figures IV-1 through IV-6 should have the names of a few of the major roads. The ADT and the volume/capacity ratio of Stuhr Road, Orestimba Road, Shiells Road and Highway 33 outside the Planning Area should be shown. That will provide a better evaluation of the traffic patterns outside the Planning Area. If it is shown that any road outside the Planning Area drops below a "C" Level of Service, appropriate mitigation measures and funding sources must be identified.

5. Page IV-8, paragraph II.A.5. The County's Public Facilities Fees do not include and improvements for Stuhr Road or the Stuhr Road/I-5 interchange. If development within the Planning Area requires any improvements to either, we assume this paragraph will obligate Newman to support changes in the County's Public Facilities Fees to fund the improvements.
6. Page IV-8, paragraph II.A.9. We assume this paragraph also refers to any improvements that may be required outside the Planning Area (due to development within the Planning Area) and any needed changes to the County's Public Facilities Fees to fund the improvements.
7. Page IV-11, Public Transportation. In addition to the Westside Dial-a-Ride the County operates the Westside Stage. This is an intercity fixed route bus service.

A need for increased intercity public transportation may arise because of growth in the Planning Area. The current services (Westside Stage and Westside Dial-a-Ride) are funded through a population split by the County and the cities of Newman and Patterson. The City of Newman will pay 22.69% of the FY 91/92 cost for the two transit services available to Newman. The County will pay 27.23% and the City of Patterson paying the remaining 50.08%.

The situation may arise where the number of people in Newman would be large enough to require additional service (e.g. more buses), but small enough to cause an imbalance in the population formula currently being used to calculate cost. For example, if more service is required only because of growth in the Planning Area, but there is not enough growth to significantly increase the City's population split, then the County and the City of Patterson will be paying a disproportionate share of the cost for transporting Newman's new population. If this situation occurs, the City of Newman and the County will need to renegotiate the funding method for public transportation serving Newman.

8. In letters dated June 26, 1991, and July 26, 1991, we expressed concerns that the County's Public Facilities Fees were based upon the general plans in effect for the cities and the County at the time of the traffic model runs. This proposal will substantially increase Newman's General Plan area and we believe the EIR should analyze the impacts the new growth may have to the County's Public Facilities Fees.

SUBJECT: Draft EIR - Newman General Plan  
Page 3  
January 10, 1992

If you should have any questions concerning this matter, please call me at 525-6552.

Very truly yours,

H. R. CALLAHAN, Director

By

A handwritten signature in cursive script, appearing to read "Charles Barnes".

Charles Barnes  
Assistant Engineer

CB:

cc: Steve Erickson, Assistant Engineer  
David Dolenar, CAO



## GOVERNOR'S OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET  
SACRAMENTO, CA 95814

Jan 10, 1992

BRIAN FOUCHT  
CITY OF NEWMAN  
P.O. BOX 787  
NEWMAN, CA 95360RECEIVED  
JAN 13 1992  
CITY OF NEWMANSubject: CITY OF NEWMAN 1991 GENERAL PLAN  
SCH # 91083068

Dear BRIAN FOUCHT:

The State Clearinghouse has submitted the above named draft Environmental Impact Report (EIR) to selected state agencies for review. The review period is now closed and the comments from the responding agency(ies) is(are) enclosed. On the enclosed Notice of Completion form you will note that the Clearinghouse has checked the agencies that have commented. Please review the Notice of Completion to ensure that your comment package is complete. If the comment package is not in order, please notify the State Clearinghouse immediately. Remember to refer to the project's eight-digit State Clearinghouse number so that we may respond promptly.

Please note that Section 21104 of the California Public Resources Code required that:

"a responsible agency or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency."

Commenting agencies are also required by this section to support their comments with specific documentation. These comments are forwarded for your use in preparing your final EIR. Should you need more information or clarification, we recommend that you contact the commenting agency(ies).

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact Daralynn Cox at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

A handwritten signature in dark ink, appearing to read 'D. Nunenkamp'.

David C. Nunenkamp  
Deputy Director, Permit Assistance

Enclosures

G-56

cc: Resources Agency

RECEIVED

JAN 13, 1992

CITY OF NEWMAN

Jan 10, 1992

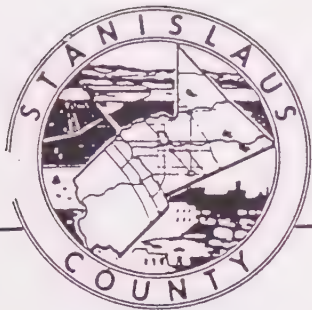
In the City Council:

at this time I would like  
you to address the problems  
of Air Quality, Loss of  
Agriculture Land, Groundwater,  
and the Traffic Impact for  
which we are sometimes unable  
to leave our lane or to turn  
in to our lane safely.

Thank You

Barbara Jett

cc. State Cleaning House  
" " Lafac



# Stanislaus County

## Department of Environmental Resources

1716 Morgan Road  
Modesto, California 95351-5894  
FAX# (209) 525-4163  
(209)

525-4154

January 10, 1992

BRIAN FOUCHT, PLANNING DIRECTOR  
CITY OF NEWMAN  
1162 "O" STREET  
NEWMAN CA 95360

RECEIVED  
JAN 14 1992  
CITY OF NEWMAN

RE: DRAFT ENVIRONMENTAL IMPACT REPORT, NEWMAN GENERAL PLAN

The above referenced document was circulated among the Department's various divisions for review. The following comments and recommendations are offered for your consideration:

### SOLID WASTE

Contact Person: Dennis Shuler, Program Manager, 525-4160

Page V-22

Paragraph 5, "Bertolotti" is misspelled. Recommend using the word "transported" instead of "handled". Correct terms for waste disposal facilities are: Stanislaus Resource Recovery Facility (waste-to-energy plant) and Fink Road Landfill. Appropriate corrections should be made throughout the document.

Paragraph 6, the authors use the term "waste generation" in this paragraph and elsewhere in this discussion. Please note that waste "generation" and waste "disposed" are not the same. Waste Generation = Waste disposed + Waste Diverted (from disposal). In light of this, the figures/projections in Table V-6 (on page V-23) should be referred to as "Disposed", not "Generated". All references to "disposed" and "generated" should be closely reviewed for accuracy.

Page V-23

Paragraph 2, Stanislaus County has made no decisions regarding the potential expansion of the Fink Road Landfill. All potential waste reduction, diversion and disposal options must be thoroughly investigated prior to any decisions being made.

Policy Response IVE.1 - Recommended language:  
"The City shall develop, adopt and implement a State approved Source Reduction and Recycling Element that will effectively reduce the amount of waste disposed by 25% by 1995 and 50% by 2000".

Policy Response IV.E.2. - Recommended language:  
"The City shall continue to contract with an approved waste hauling company to provide appropriate waste collection, recycling and disposal services throughout the incorporated area."

Page V-24

Paragraph 1, These calculations are incorrect. The 22,300 tons projected for disposal was developed by using figures which already account for the City diverting approximately 23.8% of the current waste generated. Calculations should be made based on the City having to divert an additional 26.2% at buildout. Also, "2005" should be "2000". Please consult the City's Preliminary Draft Source Reduction and Recycling Element.

Paragraph 2, It is inappropriate to suggest that the Fink Road Landfill would have adequate capacity even if the City did not meet its waste reductions goals. That position fails to take into consideration the cumulative impacts of the entire community.

Paragraph 3, 'Since the City is required by State law to meet mandated waste reduction goals, a failure by the City to achieve those goals (regardless of landfill capacity) represents a significant impact to the City. To imply that, because the City is fairly small, the community will allow a "disproportional" amount of waste to go to the landfill is a risky assumption.

Mitigation Measures, Suggest the authors revise their conclusion. At a minimum, mitigations should include a statement that the City will meet or exceed all State laws



Brian Foucht  
Page 3  
January 10, 1991

relative to waste management and reductions.  
Suggest referencing the City's Source Reduction and Recycling Element, the City's Household Hazardous Waste Element and the Countywide Integrated Waste Management Plan.

Thank you for the opportunity to comment.

Sincerely,



KEITH MUNROE, SR. E.H.S.  
SENIOR ENVIRONMENTAL HEALTH SPECIALIST  
Division of Environmental Health

lc

cc: Dennis Shuler, Solid Waste Division  
Dave Dolenar, Assistant CAO, County ERC



# Stanislaus County

## Department of Environmental Resources

### Air Pollution Control District

January 10, 1992

1716 Morgan Road  
Modesto, California 95351  
(209) 525-4152

Brian Foucht, Planning Director  
City of Newman  
P.O. Box 787  
Newman, CA 95360

RE: Draft EIR for Newman General Plan

The Draft EIR notes on page I-4 that the development allowed under the proposed General Plan will have a significant impact on regional air quality (ozone) that can not be mitigated to insignificance. The San Joaquin Valley Unified Air Pollution Control District (Unified District) agrees with this assessment. The Unified District expects that the City will provide all feasible mitigation. The city also is committing to future development reviews to minimize vehicle miles traveled with the Unified District and to assist in implementing appropriate indirect source regulations adopted by the APCD.

Listed below are some of the specific comments we have on the Draft EIR of the General Plan.

#### Page II-5-- Table II-1

This table lists new housing units at 8,000. The EIR assumes 75% of these are single family (6000), 15% medium density (1200) units, and 10% high density units (800). These figures do not match the ones used in Appendix E listing Air Quality Modeling Assumptions. The assumption stated on page E-1 is that there will be 6552 new housing units 1500 less than Table II-1.

#### Page II-8 - Table II-5

The totals for the various non-residential uses listed in Table II-5 also do not match the numbers used in Appendix E for the Air Quality Analysis. The numbers used in the Air Quality Analysis are generally smaller than those used in Table II-5. An exception to this is the square footage for light industry is larger than the number used in Table II.

#### Pages II-6 to VII-15 General Plan Policies

The Unified District is glad to see such policies as I.A4, I.A6, I.A7, II.A.1, II.A.3, II.A.4, II.B.1, II.B.2, II.B.3, II.G.1, II.G.2, II.G.3, II.G.4, II.G.5, III.A.7, VI.B.3, VI.D1, VI.D.2, VI.D.3, VI.D.4, VI.D.5, VI.D.6, AND VI.D.7 which should help reduce the impacts on air quality.

#### Pages VII-15 and VII-16 - Impacts on Air Quality

We agree with the finding on CO that impacts can be mitigated. We also agree that the increase in ozone precursors would be substantial and would contribute to a continued ozone nonattainment condition in the San Joaquin

Valley. The Unified District concurs that "This impact is considered a significant impact that cannot be mitigated to a less-than-significant level even with the air quality policies included in the *Draft General Plan*."

Page VII - Table VII-3

This table should be completely redone as it substantially misstates the emissions. The results are supposed to be derived from the assumptions listed in Appendix E. These assumption do not state what year was run but I assume it was for the build out year of 2010. I ran the Urbemis-3 Model using 2010 as the year at a temperature of 75° and the other defaults listed in appendix E for just the single family houses. The results were TOG 496 lb/day, CO 5354.3 lb/day, and PM10 68.4 lb/day versus the results in Table VII-3 of TOG 226 lb/day, CO 2260 lb/day, and PM10 43 lb/day.

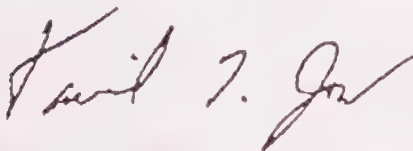
The following things need to corrected in the this Urbemis-3 run:

- 1) The size of the various uses should match the sizes used in Table II-1 and Table II-5.
- 2) Break housing into single family, medium density multi-family and high density multi-family.
- 3) Include a copy of the actual computer printout to allow us to confirm all the assumptions.
- 4) If adjustments are made for double counting then a discussion of those assumptions should be included.
- 5) Include NOx emission in the Table. It takes both NOx and ROG to make ozone.

Page VII-17 - Mitigation Measures

We agree that the available mitigation measures cannot reduce the impact on regional air quality to insignificance but that implementation of the *Draft General Plan* policies could partially reduce this impact.

Thank you for the opportunity to comment on this General Plan and to commend the City of Newman for the number and breadth of the general plan policies that could reduce the impact from new development when they are implemented.



DAVID L. JONES  
Air Quality Planner



Draft E.I.R. Impact Report Newman General Plan

RECEIVED  
JAN 13, 1992  
CITY OF NEWMAN

Dear Mayor Carlson, City Council Members;  
I want to manifest my concern about the potential impacts  
air quality, ground water, agriculture, traffic, wild life and  
growth.

If we are to have growth then we must be very careful  
that we do not lose the beauty of our City & Country agriculture  
community that we value so much now.

If we are to have growth we must avoid pollution of ground  
water & domestic wells, pollution from toxic industrial waste,  
smoke & auto exhaust. Even though stricter controls of  
emissions are in force, the exhaust emissions are still tremendous  
harmful.

Pesticides & Smog are very destructive to crops &  
cause crop losses. We must preserve our Prime Agricultural land  
not building & parking over it, for you can't farm on top  
pavement. We do not want to & must not strangle  
agricultural land out of existence. That happened to the Prime  
agricultural land in the Santa Clara Valley & the  
Los Angeles Area. Don't think for a moment that it can't happen  
for it can & is already under way. Someone had better get  
hand on this, for out of control growth or too much  
growth cannot contribute to the quality of life.

I am not only concerned with pollution to crops but also  
the harm it does to each one of us. The Newman Draft  
General Plan of 22,000 not only will be the beginning of  
destroying the small peaceful Suburban Community of  
Newman, but also will deteriorate the quality of our air



which is really not the best right now. A population of 22,000 will greatly add to all the ozone, dust and carbon monoxide in the air. We need to reduce air pollution in the valley not create more. With the mountain ranges around us all this pollution is trapped in here much of the time and when the wind blows from certain directions we get all the pollutants from Sacramento and the San Francisco Bay Area. On top of that the thick fog we encounter often stagnates the air near the Valley floor.

Air Pollution is a costly killer. It makes people with heart conditions worse, it can and does cause permanent lung damage. The American Lung Association estimates one in every four Californians is at risk of getting sick because of air pollution. That includes you and me.

The Newman Draft General Plan has a very bad traffic circulation plan. The environmental impact on this very unpopular Parkway which consists of a six lane high speed way is unnecessary. It destroys homes in its path and eats up valuable agricultural land. But our many cries are falling on deaf ears. The people want a Grid system. Not only is no one listening but our City Consultant has completely rejected any impact from this Parkway. His answer is: No mitigation on this measure. That is unbelievable and irresponsible in my opinion.

This Parkway ring road is a white Elephant. It causes traffic to be dumped on Highway 33 at two different sites causing great congestion at both places. A Grid system would alleviate impacting the traffic on Highway 33.

G-64

Our wild life must also be protected. Wild life has

all but been wiped out in many places, Newman still has some.

I will end by saying, Newman as small as she is already has a problem with water & the impact on our excellent School System has already begun. The loss of prime Agricultural land is being eaten away with development little by little, our air quality is not something to brag about.

What will be left if this 22,000 Newman Draft General Plan is approved? We need help! Thank you.

Sincerely  
Erma Santos

C.E.: State Clearinghouse / Rafeo





January 12, 1992

Besides wiping out my domicile, as the plans now stand, (6 lane ring road and 6 lane junction on Orestimba Rd) let me list other impact concerns:

1. Air Quality There was a time one could view both the Coast Range and Sierra Nevada mountains clearly. As bedroom housing increases, the greater the air pollution, noise, congestion, smog & loss of farm land.
2. Farm Land Of the 3,000 acres in the planning area, 80% is agricultural zoned. Many jobs are contingent to farm products. Farming is a very taxing and often a thankless job which often requires a 7 day work day. It is not compatible with residential growth.
3. Water Availability In my area alone, 3 well sites are proposed on this top agricultural section. How will this affect private domestic wells? Will this lower the water table and have an adverse effect on agriculture and orchards? Water restrictions were in force this past year. Let's not add to that strain.
4. Wild Life A few years ago, my children and I spotted a kit fox in the adjoining orchard. Since the orchard has been removed the fox has not been seen. Other wild life travel through the area.
5. Schools Already full!
6. Northwest Quadrant and Sewer This quadrant contains some of the best soil in the sphere of influence. Plans for this quadrant contains 2400 homes in the farthest section from town. Newman's population of 4700 coupled with the proposed 2400, will bring the sewer capacity to its capacity. What will become of the undeveloped city's inner core and undeveloped but already accepted parcels? Those developers are waiting for the economy's turn about to build. Are they to be locked out? Growth should be from the inner core outward. Don't leapfrog.
7. Ring Road Comments heard while circulating petition to stop ring road: Use a grid system, where's the alternatives, Dumb, Nonsense, Unnecessary spending, (\$12,000,000) Why not use that money to fix the city's needs, Put sidewalks in for our children's safety, Forget that road and fix the ones we have, It'll be a race track, will cause congestion at intersections and compact certain roads which are now free, Takes up too much valuable land, We don't want this growth, Crime will increase, One woman insisted we take her concerns back to city council, Many voiced concerns of costs trickling down to them regarding: schools, implementation and maintenance of all this growth, Several said they planned to sell and move out because they didn't like what they saw happening to their town.

Of concern is: Flood zones, standing ponds, Turlock Mosquito Abatement involvement on open ditch portion of drain/toxins in water runoff prior to sewer connections, exact cost of total project and how it'll be meted out.

The end result is that this vigorous growth plan is "turning off" Newmanites to make room for people that have no attachment to this community.

The population should not supersede 12,000.

CC: LAFCO

CC: State Clearinghouse

RECEIVED  
G-67 JAN 13, 1992  
CITY OF NEWMAN

Sincerely,

Mary Ramos  
Mary Ramos



Newman, California  
January 13, 1992

RECEIVED  
JAN 13, 1992  
TY. OF NEWMAN

Members of the Newman City Council, Planning Commission, and all other viable agencies involved with City, County, and State government:

We adamantly oppose the formation of the Parkway Ring Road as is proposed by the Newman City Council and the Planning Commission.

My husband and I have lived in the Newman area, and in Stanislaus County, all our lives. We have worked, and owned businesses, in this community all our lives. What we see happening to our community, the community we chose to live in, disturbs us immensely.

Those in power don't appear to think about all the problems that come with these incredible plans that take property away from property owners and transfer that property to the City they have supported through taxes they have paid on that property.

We have to ask this question. Has anyone of those, in power, considered what the Parkway Ring Road scheme will do to businesses and property owners, who incidentally have paid the taxes that keeps Newman alive?

The City of Newman does not have the finances enough to pay their obligations now. How can they consider plans that they have no idea what the costs or the tax burden it will place on the younger generation 20 years from now? If those with so much power would take a good hard look at the cities around us, that have grown double and triple in size, over the past 25 years, and look at all the problems that have come with that growth, they would see that all those cities grew in crime, pollution, lack of good drinking water, lack of finances to pay for police and fire protection, hospitals, schools, and welfare.

We also think these plans will encourage residents and commuters to bypass Newman businesses and head for easy access and fast pathway to other cities such as Patterson, Los Banos, Modesto, and all the other cities off the I-5 freeway.

Those of you, in power, are taking away the rights of property owners, who have worked all their lives for their property, and have paid the taxes on that property. Personally, we own 75 acres, that we could have sold, several times, to developers, but we chose to remain the the owners of this property, instead of becoming wealthy, and we remained living in this community. Now it appears that we will be forced to sell off parcels of our property, for a price no City of Newman official can quote us, so that City Fathers can build their Parkway Ring Road.

It's hard to believe that we are still living in the United States of America.

G-68

Mary M Relvas  
Ed Relvas

RECEIVED

D. S. HAYNAM, DVM Dec.  
P. O. BOX 483  
NEWMAN, CALIF. 95360

JAN 13, 1992

CITY OF NEWMAN

# GUSTINE - NEWMAN VETERINARY SERVICE

29013 Highway 33  
Newman, Calif. 95360  
Phone: 862-3680

January 13, 1992

Brian Foucht, Planning Director  
Newman Planning Commissioners  
Newman City Council Members  
City Staff

Re: Newman General Plan (Language and Costs)(Westside Market Place)(Questions)

Dr. Don S. Haynam went to be with his Lord on 11-29-91. Being a Christian and now the head of the household I need to ask some questions concerning our property and the city of Newman. Larry Burkett's book "The Coming Economic Earthquake" has prompted me to ask these questions.

Do each of you fully understand the language of these reports and maps? I do not. People in the county which I am one of them, do not have a voting right on this matter.

We have sent 2 letters (attached) and have not been notified that they have been received. Is this the procedure?

How are city expenditures put out to the public?

I am concerned about the speed of traffic coming into and going out of Newman. I'm afraid someone is going to be killed before something is done.

If someone other than the Pratt Co. proceeds with the West Side Market Place, how does this effect my property and agreements with Pratt? Who notifies adjoining properties?

If I understand what I am being told by County Planning, I am A-210 in County Nonconforming Use, but in the sphere of influence in Newman's Draft General Plan, against my wishes at the present time. If I am taken into the city, what do I have to do as a Nonconforming Use to be conforming? I need in writing as soon as possible as to "grandfathering" etc. concerning my business and animals.

I have been in a service business for 30 years and I would like your help as soon as possible.

Sincerely,

*Ruth A. Haynam*

Ruth A. Haynam

rh

Cpy: Ron Freitas  
Roger Towers  
Paul Caruso  
Cal Trans

Mr. Brian Fought  
Planning Director, City of Newman

January 13, 1992

Dear Mr. Fought,

My name is Steve Burke and I am a board member of the Land Utilization Alliance. LUA is a California non-profit organization based in Stockton with a membership of some 50 groups in 20 counties, whose purpose is the preservation, protection and improvement of the health of the environment and community, especially as regards actions and projects involving land use.

On behalf of LUA I wish to inform you that the City of Newman's failure to comply with the full requirements of The California Environmental Quality Act (Public Resources Code, section 21000 et seq.) and California Code of Regulations, title 14, Division 8.3, in proceeding with its General Plan Update will result in litigation by LUA.

Having said that, I wish to make the record in this matter by registering the following comments on the General Plan Update Draft Environmental Impact Report (DEIR):

The DEIR is woefully inadequate and deficient as it lacks detail and completion in addressing the project and its impacts, as well as necessary studies and mitigation programs required by CEQA.

Areas in which this is the case include but are not limited to: traffic, air quality, water supply and quality, schools, services and land use.

Of special note is the lack of economic analysis of these areas and funding mechanisms for providing for them. I question whether this update is financially feasible as a result. How can fees be assessed or the bottom line be derived?

At this point I make mention of a court case whose outcome has relevance to this DEIR. (Citizens for Quality Growth v. City of Mount Shasta (3d Dist. 1988) 198 Cal. App. 3d 433, 442 [243 Cal. Retr. 727, 731]), in which it was stated that agencies cannot defer the obligation to formulate and adopt mitigation until a specific development project is proposed.

I have noted many sections of the DEIR which list deferred actions as mitigations. This is not legal.

I would like to go through the DEIR somewhat stepwise and I will list pages and/or itemizing letters and numbers to reference a particular section, sentence, or paragraph without actually reprinting them, and then make comments on same. This is for the sake of brevity and I hope that with a DEIR in hand it will be easy to follow. In other instances I will need to quote or paraphrase. I apologize for any difficulties.

I-4: "One way to mitigate this impact would be to modify policy language in the Draft General Plan to define a level of service worse than C as Acceptable for Highway 99." This is unacceptable, adjusting existing regulations to fit the project rather than the other way around.

Page III-7, I.A.2: How will this be done? I.A.6: what are the details? Under 3. Impacts, it is stated that "The impacts of the Draft General Plan (DGP) on land use are deemed to be not significant for the purposes of CEQA. For CEQA purposes, most changes in land use do not in themselves result in direct environmental impacts." This is simply not



true, and defers scrutiny from an aspect of the project. Significant effects such as (k), (n), (p), (x), and (y) in Appendix G of CEQA are most definitely direct effects of the General Plan.

Page III-9, I.C.6: how? III.A.3: what is the fair share?

Page III-12, under Impacts, I note the same statement about lack of direct significant effects as above, in this case relating to changes in land use and existing housing stock housing. Again, this is not true.

Page III-13, 4. (Mitigation): This is deferred mitigation, since the redevelopment agency has not formulated plans or taken action. Also on this page under 3. (Impacts), it is stated that population growth does not in itself result in direct environmental impacts. Again, this is not true and it suggests that no mitigation is necessary.

Regarding water, there is a serious lack of data and analysis. The mitigation for impacts on water supply and quality are therefore unformulated, which is not legal. The listed mitigation makes reference to a study in process. To be very clear, discussion of the water situation must await that study's completion and much more work before it can be considered to be legally adequate.

Regarding sewer, on V-9, IV.A.1: what is the "fair share" and how will it be paid? Insufficient financial analysis.

Regarding schools, there is also a serious lack of detail, information and analysis. The DGP Policy Responses on V-20 and V-21 are too general to be of use. Mitigation is completely lacking, as is a plan for financing the schools. (Of note is the fact that Mello-Roos financing districts are suggested as a possible funding mechanism, whereas the whole Mello-Roos program is being contested right now in court and may very well be illegal soon.)

Regarding utilities, on V-25 under "Impacts" it is stated that "extensions and improvements to electrical, gas, and telephone lines would be funded by new development as it occurs." How? What are the costs and the funding mechanisms?

Regarding parks, there are likewise no funding mechanisms described.

Regarding wildlife, on VII-10, VI.C.1: these surveys must be done BEFORE the DEIR can be considered adequate. In general there is lack of detail and analysis of habitat, species, and impacts thereon.

Regarding air, there needs to be much more information, data and analysis. The carbon monoxide situation is treated especially lightly. Even with the presentation given in the DEIR, there needs to be an acknowledgement of the need for a statement of overriding considerations.

The cumulative impacts are only briefly discussed, and much more work needs to be done in this area. I note especially on IX-5 the statement that "since the characteristics of regional groundwater resources are unknown at this time, it cannot be determined whether cumulative impacts of development would adversely affect the groundwater supply." There is much data already existing that could be presented, and until whatever additional data and studies are available that would enable a legislative body to make an informed decision, that decision should be delayed. I mean, that's one of the primary purposes of CEQA. (Guidelines, Section 15151.)

On page IX-6, formulation of a mitigation monitoring program is inappropriately deferred. The program needs to be developed BEFORE EIR approval.



Where is the information required in the CEQA guidelines, section 15086, regarding consultation with and comments from various agencies? This section appears to have been completely ignored.

That concludes my comments. I await the responses in the final EIR. I believe the DEIR is extremely vague, general, and incomplete, however, and that a substantial amount of work is necessary to bring it into compliance with CEQA in being a legally defensible document.

With a suggested population buildout of 26,000 plus, the general plan is essentially a plan for the addition of 22,000 people, which is the size of the Village I project by the City of Modesto, for which there has been a much, much greater amount of work done for the EIR and overall planning process (and it is STILL incomplete and inadequate).

Traditional residential (and commercial and industrial) growth involving urban expansion into farmland simply must stop. It doesn't work on any level, harming the environment and the communities and burdening them with harmful impacts and debt. It is time to find another way. A thorough and legally adequate EIR will demonstrate the accuracy of these statements.

Thank you for the opportunity to comment on the project.

Sincerely,

Steve Burke  
Board member,  
The Land Utilization Alliance  
O. Box 1259  
Lockton, California 95201

Home address:  
2509 Descanso Way  
Modesto, California 95356

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MICHAEL L. ABBOTT

PATRICK M. McGRATH  
DAVID O. ROMANO, P.E.

Land Use Analysts

January 13, 1992

Mr. Brian Foucht  
Planning Director  
City of Newman  
P.O. Box 787  
Newman, California 95360

**Re: Comments to the Draft Environmental Impact Report  
City of Newman General Plan**

Dear Mr. Foucht:

As you are aware, our office represents Stanford University. Our client and Naomalee Rose own property located south of Hills Ferry Road, east of Canal School Road, west of Swamp Rats Road, and just north of the County line.

Over the extensive period of development and review of this Draft General Plan, we have offered numerous comments, including:

1. Comments to Issues and Options Report, January 1991;
2. Comments to Sketch Plan Alternatives, May 28, 1991;
3. Comments to Sketch Plan Alternatives, June 13, 1991;
4. Response to Notice of Preparation of E.I.R., August 13, 1991; and
5. Comments to Draft General Plan Policy Document; October 22, 1991.

By reference, we hereby incorporate each of these previous comments.

Despite the methodical approach we have taken with respect to comments, the vital areas of concern we have identified, as well as proposed resolutions, appear to have fallen on "deaf ears".

The following is a summary of concerns raised in prior comments. Following these, there are specific comments relating to the Draft E.I.R..

- The plan as proposed has not addressed the issue of utilization/conversion of non-prime agricultural land prior to prime agricultural land.
- Inclusion alone, of non-prime land, does not fully address the "conversion" of "prime" lands with respect to "non-prime" lands, particularly given the proposed land use designations.
- The E.I.R. should include the discussion, findings, and mitigations of the City of Newman Wastewater Treatment Expansion E.I.R.. Of the mitigations identified in that report, only one remains viable and should be protected in this General Plan E.I.R..
- Economic feasibility of planned industrial land uses, including demand, absorption, and other factors, should be clearly evaluated, as it impacts land conversion in the proposed plan.
- Should an industrial designation remain on our client's property, the property will be surrounded by residential development and traffic expressways. The impacts on the viability of the property must then be evaluated, including water deliver, drainage, traffic impacts of proposed parkway, etc.
- Land use designations as proposed should be evaluated for environmental effects and consistency with CEQA and LAFCO guidelines. Please see the letter on file from City Attorney, Harold Densmore regarding the flexibility of proposed land use designations.
- The proposed plan should evaluate availability of infrastructure, including sewer, water, etc. as a factor in timing of development of parcels more proximately located to such services. (This comment has been discussed in the DEIR).
- The proposed Parkway/Circulation Plan does not fully recognize existing traffic patterns and may produce adverse impacts if adopted as proposed.



In addition to these previous comments, we would like once again to reiterate our position with respect to specific sections of the Draft Environmental Impact Report (DEIR).

1. Conversion of prime agricultural lands can and should be mitigated.

- a. On Page 2 of the Introduction of the DEIR, the consultant has identified Section 15002 (a) of Article 1 of the State CEQA Guidelines. This section spells out the basic purposes of the California Environmental Quality Act, which includes identifying methods in which environmental damage can be avoided or significantly reduced, and avoiding damage to the environment through the use of alternatives or mitigation measures that may be feasible.

The Draft EIR has failed to accomplish these basic purposes.

- b. Page I-4 of Chapter 1, the DEIR identifies the loss of productive agricultural land as a significant adverse impact that cannot be mitigated. This proposition is elaborated on Page III-4 which states "from an environmental standpoint, the most critical land use changes would result from new development of currently undeveloped areas, particularly in areas currently used for agricultural production." The DEIR goes on to show on Page VII-7, Section 3, Impacts, that the commitment of agricultural soils to conversion to other uses is a significant adverse impact that cannot be completely mitigated.

As our following comments will demonstrate, these propositions are not completely accurate. In fact, the conversion of prime and productive agricultural land within the study area can be mitigated in two ways:

1. A reduction of the size of the proposed General Plan; and
  2. A prioritization to convert non-prime lands for development prior to conversion of prime agricultural lands.
2. The Draft General Plan is ambitious both in terms of size, and amount of industrial land use designation. This ambitious stance adopted by the City and its consultant exacerbates the agricultural land conversion issue as mentioned above. The DEIR itself supports the proposition that the industrial land designation is "over-optimistic".

- a. Page II-4 of the DEIR, Section F, Qualification Concerning Buildout Calculations, states, "based on Draft General Plan Policy and general market conditions, it cannot be assumed that all of the non-reserved designations, (including industrial designations) will actually develop during the time frame of the Draft General Plan (1991-2010)." "The Draft General Plan would likely result in an overstatement of effective development potential and in turn lead to such problems as oversizing infrastructure and under funding infrastructure improvements."
- b. Page II-7, Section I, Baseline and Projected Commercial and Industrial Development, indicates that in modeling the proposed land use designations, a detailed analysis of existing commercial and industrial utilization was not complete. "No estimates of square footage of existing development (commercial and industrial), however, have been made."
- c. Page II-8 following Table II-5 in the DEIR states, "it cannot be assumed however, that all non-residential land will develop within the time frame of the General Plan... It should be noted that full buildout of commercial/industrial lands within the planning areas may not occur by 2010."
- d. In our comments to the Planning Commission and the City Council on May 28th and June 13th, we presented statistics related to the percentage of industrial land within other city's sphere's of influence and general plans within Stanislaus County and Merced County. In no other city, with the exception of the City of Patterson currently undergoing review with the same consultant utilized on this plan, did the percentage of industrial land approach the percentage identified in the City of Newman General Plan.

Table III-1 of the DEIR identifies on amazing 15.8 percent of the total acreage, 688 acres, as committed to industrial purposes. Furthermore, an additional 303.5 acres, or an additional 7% of the total land within the study area, has been committed to industrial reserve.

As the DEIR admits, the industrial utilization goals of the City of Newman cannot and will not be met within the time frame of this General Plan, or for that matter, for many years following. The importance of this admission becomes clearer when industrial land use designations are compared with the affected properties' soil characteristics.

3. Our clients property is located on soil that is one of the least viable agricultural sites in the study area, yet that property has been designated for industrial development. On Page VII-4, Section 1, Implications of the Draft General Plan regarding soils, the DEIR indicates that "most of the soils within the planning area are potentially prime." This comment is in fact true. However, the section fails to identify that a considerable amount of acreage, including our clients property and property immediately to the southwest, is of soil characteristics that are marginal, and would not be considered prime agricultural land. The acreage involved is not insubstantial, involving in excess of 100 acres.
4. By overstating the industrial development potential, and by locating industrial land use designations on the only non-prime land within the planning area, this Draft General Plan has essentially deferred development of non-prime agricultural land to earlier development of prime agricultural land. Such an impact is inconsistent with the LAFCO Policies and Procedures quoted on Page III-5 of the DEIR. Specifically, Policy and Procedure No. 103,02 and 104,02 identify the preference and priority that the Local Agency Formation Commission has placed on utilization of non-prime lands prior to utilization of prime lands.
5. The extent of industrial development identified in this Draft General Plan has a greater impact on the environment than residential uses. Both the water demands of new development, identified on Page V-1, and the wastewater impacts identified on Page V-6, indicate that industrial utilization has a greater impact on the resources available to the City of Newman.

In light of the City's previous problems with wastewater disposal, and the EIR prepared with the expansion of wastewater facilities, the City of Newman and this Draft General Plan should carefully examine the amount of development proposed through the year 2010. Further, given the mitigation measures identified in that previous EIR, the prioritization of non-prime agricultural land for earlier development than prime agricultural land should be an essential component of this Draft General Plan.

6. The Alternatives Analysis in the DEIR, as discussed in Section IX-B is inadequate. For purposes of alternatives the City has only identified three population levels of expansion for its Draft General Plan, that being a 12,000 population scenario, a 17,000 population scenario, and a 22,000 population scenario. The inadequacy of alternative analysis lies within the characterization of land uses within each of these alternatives. In the first two alternatives the only non-prime agricultural land, that being owned by our clients, is not even



Mr. Brian Foucht  
January 13, 1992  
Page Six

considered for inclusion. It is only in the larger 22,000 population projection that the property becomes a part of the Sphere of Influence and General Plan Proposal.

If the City and the consultant were serious about identifying alternatives and complying with the mandatory requirements of the California Environmental Quality Act, different configurations of land use within the various size alternatives would be necessary to properly evaluate and mitigate potential impacts, particularly the issue of conversion of primary agricultural land.

As always, we appreciate the opportunity to comment on the City's meritorious efforts of planning for the future. We would be remiss, however, if we did not clearly state that the very legitimate concerns identified in this communication and the numerous prior communications, have failed to secure the attention of city planning staff and the consultant responsible for this plan. It is our very sincere belief that failure to address the issue of optimistic industrial designations, coupled with the amount of prime agricultural land planned for development, will ultimately result in a negative reception of this plan at the Local Agency Formation Commission and with the citizens of Newman.

Thank you again for your attention, and should you have any questions please contact me at (209) 521-9521.

Respectfully,

NORMOYLE & NEWMAN

A handwritten signature in dark ink, appearing to read 'Patrick M. McGrath', with a long horizontal line extending to the right.

Patrick M. McGrath  
Development Services Coordinator

PMM/jv

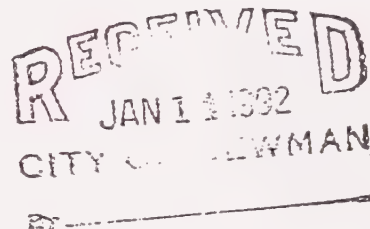


# Stanislaus County

Chief Administrative Officer

P.O. Box 3404  
Modesto, California  
95353  
(209) 525-6333  
Fax (209) 544-6226

January 13, 1992



Brian Foucht, Planning Director  
City of Newman  
P. O. Box 787  
Newman, California 95360

RE: DRAFT ENVIRONMENTAL IMPACT REPORT - CITY OF NEWMAN GENERAL  
PLAN

Dear Mr. Foucht:

The County Environmental Review Committee has reviewed the subject document dated November 25, 1991. Specific comments will be provided by individual County departments which have concerns.

The Committee encourages Policy I.A.2 be amended to read as follows:

Page III-7 Policy I.A.2

The City shall link the rate of growth in Newman to the provision of all adequate service and infrastructure, including County and schools. The City shall through specific plans ensure that growth occurs in an orderly fashion and in pace with the expansion and financing of all impacted public facilities and services.

Further the Committee recommends that Chapter 5 - Public Facilities and Services should identify County services and assess their potential impact. It is suggested General Plan Policy IV.A.5 on page V-4 be rewritten to address County and other governmental service impacts.

Detailed fiscal analysis should be prepared in conjunction with any specific plans on a development-by-development basis.

Brian Foucht, Planning Director  
January 13, 1992  
Page 2

The Committee appreciates the opportunity to comment on this Draft Environmental Impact Report.

Sincerely,

A handwritten signature in dark ink, appearing to read "David L. Dolenar", written in a cursive style.

David L. Dolenar  
Deputy Administrative Officer

DLD:sbw

cc: Board of Supervisors  
Al Beltrami, CAO  
Environmental Review Committee Members



# Neumiller & Beardslee

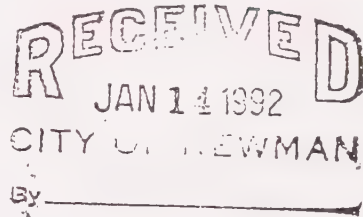
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FOUNDED AS  
SHLEY & NEUMILLER  
JANUARY 1903

January 13, 1992



Mr. Brian Foucht  
City of Newman  
1162 "O" Street  
Post Office Box 787  
Newman, California 95360

Re: Comments on Draft General Plan/EIR

Dear Brian:

On behalf of my clients, Morrison Homes and Claremont Homes, I have reviewed the City of Newman's draft General Plan Environmental Impact Report, and in connection with that review, I offer the following comments:

1. On page 5 of the Introduction, the purposes of the EIR are stated. Although the EIR states that it will serve as a first tier EIR for subsequent projects (e.g., specific plans) and may be used by LAFCO to support a revised sphere of influence, the EIR does not state that it may be used (at least as a background or first tier document) in connection with annexation of specific plan areas to the City. Specifically, it was my client's understanding that the General Plan EIR and our site specific EIR for the Northwest Quadrant Specific Plan could be used together as the environmental documentation for the annexation of the Northwest Quadrant to the City of Newman. We would appreciate your adding language to this effect to the EIR.

2. On page 1-4, the EIR states the traffic volumes on Prince Road and Orestimba Road could be reduced to a level of service C by re-designating those roadway segments to four lanes and arterial status. However, because the right-of-way along Highway 33 is limited, the EIR proposes to mitigate this impact by defining a level of service worse than C as acceptable for Highway 33. We believe the EIR should also state that it is possible to mitigate the impacts on Prince Road and Orestimba Road by modifying language in the draft General Plan to define a level of service worse than C as acceptable for those roadways, as well as for Highway 33.

3. Also on page 1-4, the draft EIR concludes that all development under the draft General Plan will have a potentially significant impact on groundwater supply. Although my clients support the idea of studying the City's groundwater supply and the efforts to acquire surface rights for domestic supply, we believe

the EIR may be somewhat misleading in this area. According to many prominent water experts, the conversion of irrigated agricultural land to residential uses results in no greater (and perhaps less) demand on an area's groundwater supply. The EIR should recognize this fact and its impact analysis should be re-examined accordingly.

4. Page III-6 of the EIR contains a discussion of the draft Agricultural Element to the Stanislaus County General Plan. While we agree that urban development or conversion of agricultural land to urban uses under the auspices of Stanislaus County could violate the draft Agricultural Element, we believe the EIR should be clear that urban expansion which occurs after the annexation of property to the City of Newman would not violate the draft Agricultural Element.

5. On Page VII-7 of the EIR, the authors state that the loss of agricultural lands is a significant impact which cannot be mitigated. While we do not necessarily disagree, we believe there are significant social and economic factors - such as the need to create new jobs, generate more property and sales tax, and provide affordable housing - which substantially outweigh the possible environmental effects stemming from the conversion of agricultural land.

6. On Page VII-12 of the EIR, the authors summarize potential mitigation measures suggested by the California Department of Fish and Game for losses of Swainson's Hawk Foraging Habitat. In addition, the EIR suggests possible preparation of a comprehensive regional Swainson's Hawk mitigation plan. My client believes that these issues would be best resolved at this specific plan stage with site-specific evaluation of individual projects occurring at that time. In the alternative, my client may participate, as appropriate, in the preparation of a regional Swainson's Hawk Habitat mitigation plan in the event our project is considered "critical habitat" for the Swainson's Hawk.

7. On Page VII-17 of the EIR, the authors state that no mitigation measures are available to reduce certain air quality impacts. We have reviewed the San Joaquin Unified Air Pollution Control District's recently adopted Air Quality Attainment Plan ("AQAP") and believe that with the control measures and source rules contained within the AQAP, mitigation to less than significant levels could occur. We would also submit that there are significant social and economic factors, such as those listed in item No. 5, above, which substantially outweigh the possible environmental impacts on air quality.

Mr. Brian Foucht  
January 13, 1992  
Page 3

Thank you for the opportunity to comment on the draft Environmental Impact Report. If you have questions or would like to discuss any of these comments, please feel free to contact me.

Very truly yours,

*Steven A Herum*

STEVEN A. HERUM  
Attorney at Law

SAH/jlb



# LAFCO

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JAN 14 1992  
CITY OF NEWMAN  
By \_\_\_\_\_

January 13, 1992

Brian Foucht, Planning Director  
City of Newman  
P.O. Box 787  
Newman, CA 95360

SUBJECT: NEWMAN GENERAL PLAN UPDATE - DRAFT EIR (SCH #91083068)

Dear Brian:

Thank you for the opportunity to review the above Draft EIR. As you are aware, LAFCO as a Responsible Agency, will utilize the environmental documentation prepared by the City when considering any request to expand the sphere of influence. Therefore, the following comments are offered for your consideration:


1. Since the release of this draft document, the County has released the newest version of its Draft Agricultural Element, dated December 1991. The information contained in the EIR should be updated to reflect this. (pg. III-6)
2. The ability of all entities to provide the proper facilities and services is a factor considered by LAFCO when evaluating a proposal. The ability of the County to provide the necessary services to new development is a concern of the Commission recently exemplified during consideration of the Village I annexation proposal to Modesto. In addition, the recently adopted Policies and Procedures Manual contains policies to this nature. The issue of County services and facilities has not been specifically addressed, with the exception of library services, within the Draft General Plan policies or the EIR. As this issue is of paramount concern to LAFCO, and the documentation prepared by the City will eventually be utilized by the Commission, these issues relating to all County services should be addressed. (pg. III-11 and Chapter V.)
3. Figure IX-4, shows May's Ranch as a proposed New Town. According to the Stanislaus County Planning Department, this project has never been officially filed and has since been abandoned by its proponents.
4. The Commission has adopted its own policies, consistent with State Law, encouraging conservation of prime agricultural lands and open space areas. The EIR indicates that "development under the Draft

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Brian Foucht, Planning Director  
January 13, 1992  
Page 2

General Plan would result in conversion of a substantial amount of high quality agricultural soils to urban uses". (pg. VII-4) The Alternatives section, discusses the various sketch plan alternatives and indicates the 12,000 population alternative would have fewer impacts on natural resources, including agricultural concerns. The City, however, selected the 22,000 population alternative as the basis for the Draft General Plan. Since the conversion of agricultural land to urban uses is considered to be a significant permanent adverse impact, which cannot be mitigated, a thorough discussion of the policies and strategies included to lessen the impacts of this conversion should be stressed.

RON E. FREITAS  
EXECUTIVE OFFICER

By:   
\_\_\_\_\_  
Fran Sutton-Berardi  
Senior Planner

FSB/bp,L8

# Stanislaus County



## DEPARTMENT OF AGRICULTURE AND WEIGHTS AND MEASURES

725 County Center III Court  
Modesto, California 95355  
525-4610

DATE: January 14, 1992

TO: Brian Foucht, Planning Director - City of Newman

FROM: Keith Mahan, Agricultural Commissioner/Sealer Weights & Measures

SUBJ: City of Newman General Plan

RECEIVED  
JAN 14 1992  
CITY OF NEWMAN

This project will significantly increase this department's workload and impact upon the area's agricultural operations.

### PUBLIC FACILITIES AND SERVICES:

This department is mandated by state law to inspect all commercial weighing and measuring devices in Stanislaus County. In addition to this workload, department personnel also conduct quantity control audits as well as agricultural inspections such as fruit and vegetable, exclusion, pest detection, nursery, and seed, to name a few. When all of the increased costs due to this expansion are computed, the county's cost of doing business increases by more than \$40,000 annually. Even when anticipated revenue and reductions in other areas of inspection are factored into the equation, an impact fee of \$5.00 per dwelling unit is necessary to mitigate the county's increased costs.

### NATURAL RESOURCES:

The paving over of agricultural land will decrease the recharge area for the local aquifer. The Westside aquifer is currently being overdrafted and any reduction in the amount of water available for recharge will only exacerbate the situation. The DEIR obliquely addresses this issue on page VII-1 by stating "Urban development on agricultural lands surrounding Newman would result in a physical change from highly permeable agricultural soils to relatively impermeable building foundations, and street and parking lot pavement. As development proceeds, urban runoff to the City's drainage system would increase, replacing normal infiltration of storm and irrigation water to the groundwater basin." Since the City of Newman relies completely on groundwater for its domestic water supply any reduction in the amount of available water or possible deterioration of water quality will have a profound and adverse impact on the residents of Newman.

This is a significant impact that must be addressed and mitigated, however, the question of water availability and quality may be unmitigatable if recharge cannot occur because the land has been paved over.



"Thus, the adverse effects of runoff produced by urbanization of agricultural lands would be partially offset by a decline in agricultural pollutants." This statement is used to justify the urbanization of this area, however no supporting data is presented. Even if true, since no offsetting percentage is given, the statement has no value and thus no significance in determining whether or not the project is worthwhile. On page VII-3, #3, Impacts: "...the tradeoff between urban and agricultural effects on surface water resources and the groundwater basin is considered a less-than-significant impact." This statement is highly questionable given the lack of any corroborating data.

PAGE VII-5

Agriculture: "...land use conflicts between residential and commercial uses and agricultural operations could increase." The word could is incorrect and needs to be changed to will. If the changes in use as proposed come to pass, an increase in conflicts is inevitable.

Buffers of a minimum of 100 feet and up to 800 feet, depending upon the crops grown and the prevailing winds, should be required in order to reduce the conflicts that will occur between agricultural operations and people not involved in agriculture.

PAGE VII-7 #3 IMPACTS:

The DEIR admits that the loss of agricultural land cannot be mitigated to a level of less-than-significant. The amount of agricultural land that will be lost if the expansion is approved amounts to approximately 0.4% of the irrigated land in Stanislaus County. Based upon 1990 Restricted Material Permit acreage data, the estimated gross grower return of the crops involved amounts to \$4,279,000. When the multiplier factor for these crops is considered, the fiscal impact to the county's economy is \$24,850,000. This is a significant financial impact, especially for the Westside communities.

This document does not propose any measures to mitigate the loss of agricultural land and does not address the issue of cumulative agricultural land loss at all. A study of the economic impact of revenue generated by agricultural activities versus urbanization, especially when the cost of providing public services is included, should be a part of this document in order to determine the financial soundness of the project. Without such a study this proposal cannot be effectively analyzed as to its cost/benefit ratio and whether or not the commitment of public funds to provide public services is justified.

PAGE VII-7 BIOLOGICAL RESOURCES:

The San Joaquin Valley Kit Fox's habitat as defined by the U.S. Fish and Wildlife Service includes some parts of this proposed expansion. On page VII-12 the potential impact on the Kit Fox is considered as less-than-significant because the project is not to be completed until after 2010. Unless the proponents believe the Kit Fox will no longer be

classified as an Endangered Species by 2010, this argument is invalid. Regardless of when the project is to be completed, if habitat is lost through development then the species is impacted and that impact must be mitigated or considered significant. Simply providing more time for the species to move is not a mitigation measure.

PAGE VII-14 PM10:

A study is currently underway for the SJVAPCD to determine agriculture's PM10 contribution. The statement that "PM10 emissions within the Planning Area are expected to decline" is misleading. Without a scientifically valid study determining the amount of PM10 generated by agriculture this statement cannot be made. Significant amounts of PM10 are created by vehicles driving on paved roads. Because of urban generated PM10, the statement that by eliminating agriculture PM10 concentrations will decrease is very questionable. In fact, the amount of PM10 generated may very well increase.

## DEPARTMENT OF TRANSPORTATION

P.O. BOX 2048 (1976 E. CHARTER WAY)  
STOCKTON, CA. 95201



(209) 948-7958

January 15, 1992

10-Sta-33-PM 0.6  
City of Newman  
1991 General Plan  
Draft EIR/SCH #91083068

Mr. Briad Foucht  
Planning Director  
City of Newman  
P.O. Box 787  
Newman, CA 95360

Dear Mr. Foucht:

Thank you for the opportunity to review and comment on the Draft EIR for the 1991 Update of the Newman General Plan.

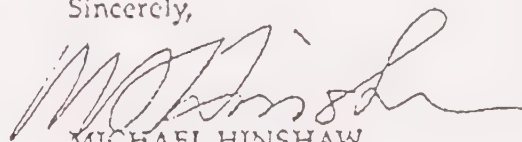
After review, we request that the City consider a policy statement regarding cooperation and coordination with Caltrans on the maintenance of operations on State Route 33 through the City.

Our concern is that the projected traffic within the City limits exceeds the stated policy goal of Level of Service (LOS) "C". To assist in maintaining this level, Caltrans requests that the policy document address widening of critical intersections along the route and also restrict access from commercial development to reduce the conflicting traffic moves thereby increasing the efficiency of the highway.

To accomplish this, the policy could be added to the Draft General Plan and Circulation Element. The development community would then be alerted to the need to address this issue early in the discretionary approval process. Caltrans staff will be happy to work with you on this matter.

If you have any questions please call Mr. Michael Hinshaw at (209) 948-7958.

Sincerely,

  
MICHAEL HINSHAW  
ATSD Coordinator



RECEIVED  
JAN 06 1992  
CITY OF NEWMAN

Tom and Barbara Powell  
27631 Fig Lane  
Newman, California 95360  
January 22, 1992

Janet Carlson, Mayor, City of Newman  
and the Newman City Council

Dear Janet and Council Members:

The City Planning Commission has put the decision of "what to do about the Ring Road/Park Way" back to you, for that very important final decision. A decision that will effect the personal lives of many county residents who have no voting power.

As addressed in our previous letters we, as well as others who will be "touched" by the Circular Park Way system are concerned for among other things, the decreased property value you "City People" will decide for us "Country Folks" that have no voting rights on city matters.

We will tell you once more - if you decide to vote for the Ring Road as it now shows on the proposed general plan map, you have condemned our property, as well as many other properties that will be taken up by this roadway. A road proposal that has no beginning nor completion date. In our opinion, a non-realistic road proposal that is attached to a 20 year general plan.

We feel that the City should continue to vote for the Proposed General Plan, excluding the Roadway. Since economics will be the determining factor in the future development of the City of Newman, and any roadway system that the City of Newman will need are already in existence. Granted, they may need some improvement as development requires, but that improvement and change should occur and happen when there is a definite need.

As recent history has proven, cities are unable to plan effectively on matters of development where general economy is a controlling factor. Why put the city in a position of a class action suit by condemning properties for a roadway in a futuristic dream.

FACT: If the city's actions cause condemnation of our property in any way for resale, we will hold the city entirely responsible and expect restitution for its worth from the City of Newman. Not in the future, but immediately.

FACT: Being long-time and active members of the community of Newman, it causes us much pain and concern, that the city has left us no alternative to protect our property and our rights, than to seek legal action where no one gains and everyone loses except the attorneys.

It is hoped that the City Council reads, hears and responds positively to our concerns.....because we have also addressed concerns of the majority of the people involved with property along the Ring Road/Park Way proposed map.

The block contains two handwritten signatures. The first signature is 'Tom' in a cursive script. The second signature is 'Barbara' in a more elaborate cursive script. Below the signatures, the names 'Tom and Barbara Powell' are printed in a simple, sans-serif font.

Yes, here we go again. The city of Newman, a small town which can't seem to do a complete job on city street resurfacing, wants to endorse an overplanned and unnecessary project before considering its full impact. Bad enough is the effect on rural residents who may lose their homes or have their properties dissected, but the very scope of the project is hard to believe.

The ring road would not only have limited benefit, it would saddle city residents with a financial burden far greater than anticipated. This is clearly the idea of a few city officials and some overly ambitious consultants and engineers.

When I moved away from the city of Fremont 20 yrs. ago, which at that time had a population of 100,000, they had already set aside a path for a parkway for a similar purpose. Until today that roadway has never been built.

Frank Duarte

Frank W. Duarte



According to the Draft Environmental Report the economic or social effect of a project may be used to determine if a physical change is significant. We feel that the parkway would have significant economic and social effects as stated in this petition. In addition, it would increase the loss of agricultural lands which is considered a significant impact. There are a total of 374 signatures on this petition, all of whom live within the general plan area. These signatures also include a majority of the landowners directly involved.

We would like the city council to please consider removing the "parkway" idea of a circular roadway surrounding the city of Newman from the general plan. Some of the reasons are as follows:

- A. The grid system is preferable.
- B. It will require the removal of homes.
- C. It divides property to prevent irrigation.
- D. It paves over existing irrigation pipelines.
- E. It paves over front yards and wells.
- F. It reduces property values and could tie up land for the next twenty years.

1. *Ken Ramo*  
2613 Villa Marucha Rd
2. *Christine Ramo*
3. *Duby Coffman*  
1024 Orestimba Rd
4. *Edith Dohode*  
1724 Orestimba Rd
5. *John Russell*  
1024 Orestimba Rd.
6. *Alice Duarte*  
1018 Orestimba  
Newman, Ca. 95360.
7. *Frank W. Duarte*  
1018 Orestimba Rd.
8. *Charlotte Rogers* 1035 T. St. 95360
9. *William Rogers*  
1030 T St Newman Ca 95360
10. *Charles Gaeth Rogers*  
1030 T St. 95360

11. *John Tull*  
701 West Marucha
12. *Elsie Dutra*  
819 Orestimba Rd.
13. *Geraldine Lillery*  
821 Orestimba Rd.
14. *Bertie Vargas*  
1018 Orestimba Rd.
15. *Richard Vargas*  
1019 Orestimba Rd.
16. *Don Perry*  
930 Orestimba Rd.
17. *Everett Liskira*  
879 Fig Lane
18. *Victor A. Perry*  
1159 Q. STREET
19. *Mary O. Albee*  
2624 3rd Mc Clintock
20. *Mary Bettercourt*  
236 West Duke

2.

We would like the city council to please consider removing the "parkway" idea of a circular roadway surrounding the city of Newman from the general plan. Some of the reasons are as follows:

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1. Donald L. Kidder  
931 Fryham
2. Lourdes S. Medeiros  
921 Fry Lane
3. Maria A. George  
921 Fry Lane
4. Mr. & Mrs. Arthur Peterson  
869 Fry Newman
5. Phyllis Sterling  
861 Fry Newman CA
6. Kathy A. Avila  
864 Fry Lane  
Newman CA
7. Mr. & Mrs. Garland Bell  
1034 Lucille
8. Alberta Bell  
1034 Lucille
9. Catharine Wear  
921 Lee
10. Sharon Andrade  
1045 Yolo St.
11. James Jim Catral  
1055 - Yolo St.
12. James E. Williams  
1115 Yolo
13. Josephine C. Williams  
1115 Yolo
14. Patricia Morgan  
1135 Yolo St.
15. Susan Morgan  
1135 Yolo St.
16. Yoc Azavedo  
Mary Azavedo  
938 Real Ave Newman
17. 938 Real Ave Newman
18. Ben Balen  
919 REAL AVE  
NEWMAN CALIF.
19. Ed M. Ruan  
909 REAL AVE  
NEWMAN, CALIF.
20. Roberto Vargas  
898 Real Ave  
Newman
21. George Vargas Jr  
878 Real Ave  
Newman Calif.
22. Thane Vargas  
848 Real Ave  
Newman
23. Ray Sherman  
878 Newman Cal.
24. Halcyon Sherman  
878 Real Ave Newman  
Roger Sherman  
1112 H. H. Lane - Real



3

We would like the city council to please consider removing the "parkway" idea of a circular roadway surrounding the city of Newman from the general plan. Some of the reasons are as follows:

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1. *Carol Silva*  
331 Jensen Rd. Newman, Ca.
2. *Pat Anderson*  
225 Jensen Rd. NEWMAN
3. *Ralph E. Anderson*  
325 Jensen Rd NEWMAN
4. *Shirley Gato*  
27531 Fig Lane  
Newman Ca. 95360
5. *Gato*  
27531 Fig Lane  
Newman, Ca. 95360
6. *George O. Ollus*  
27530 Fig Lane Newman Ca.
7. *Tama Luoma*  
27500 Fig Lane Newman Ca.
8. *Wm. J. Nunes*  
27518 Fig Lane -  
NEWMAN.
9. *Kathy Nunes*  
27518 Fig Lane  
Newman.
10. *Emma Camara*  
27637 Fig Lane  
Newman, Calif.

11. *Bea Vargas*  
27907 - Hwy 33  
Newman, Ca. 95360
12. *Clara Pugh*  
1146 P. St.  
Newman, Calif. 95360
13. *Barbara D. Powell*  
27631 Fig Lane  
Newman California
14. *James R. Powell*  
1145 Q St.  
Newman, Ca. 95360
15. *Mrs Delia E. Powell*  
1145 Q Street
16. *Tom Powell*  
27631 Fig Lane  
Newman, Ca. 95360.
18. *Sindi Brantner*  
27512 Fig Lane  
Newman Calif 95360
19. *Mary D. Schult*  
PO Box 326 - 27519 Fig Lane  
Newman, Ca. 95360
20. *Richard R. Schult*  
27519 Fig Lane Newman

21. Max Chavez  
712 Fig Lane

22. Manuel Chavez  
712 Fig Lane

23. Joe Vargas  
27642 Fig Lane

24. Isabelle Vargas  
27642 Fig Lane

25. Willie R. Davis  
3249 Orchard Creek Dr.

26. Fred Davis  
3249 Orchard Creek Dr.

27. Ron & Holly Scott  
2243 Orchard Creek Dr.

28. Louis LaFrenza  
2004 Orchard Creek Dr.  
Newman, CA 95360

29. John James  
2231 Clem Creek Court  
Newman, CA 95360

30. John James  
2231 Clem Creek Court  
Newman, CA 95360

31. Helen Eckelha  
2243 Orchard Cr  
Newman, CA 95360

4

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- |   |   |
|---|---|
| 1. <i>Erma Santos</i><br>1542 Haincock Rd.            | 11. <i>Joe B. Roeb</i><br>918 Oak Ave Newman    |
| 2. <i>Caryn Carter</i><br>155 River Rd.               | 12. <i>Andrew Sanchez</i>                       |
| 3. <i>Cliff M. Thomas</i><br>26748 River Rd. Newman   | 13. <i>688 Fig Lane</i>                         |
| 4. <i>Johnny E. Roberts</i><br>26835 River Rd. Newman | 14. <i>Tara Wilson</i><br>325 Villa Manilla Rd  |
| 5. <i>George Amptles</i><br>24838 River Rd Newman     | 15. <i>C R SPANNA 1703</i>                      |
| 6. <i>Kendinevil</i><br>768 R St Newman               | 16. <i>Mrs. Jane Q</i><br>1518 - R St           |
| 7. <i>Raymond Spear</i><br>2238 Spring St NEWMAN      | 17. <i>Kuster Lawrence</i><br>921 N Street      |
| 8. <i>William J. Davidson</i><br>1559 N STREET        | 18. <i>Julien Waller</i><br>732 Hardin Rd # 2   |
| 9. <i>Kimberly Davidson</i><br>624 FIG LANE           | 19. <i>Scott Blakesley</i><br>752 HARDIN Rd # 2 |
| 10. <i>Joan Larson</i><br>737 FIG LANE Newman, Ca     | 20. <i>Chuch CRIFFITHS</i><br>1211 KERN ST      |



5

We would like the city council to please consider removing the "parkway" idea of a circular roadway surrounding the city of Newman from the general plan. Some of the reasons are as follows:

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- F. It reduces property values and could tie up land for the next twenty years.

1. *Luís Torris Jr. Cordeiro*  
1155 Hoyer Rd. Newman, Ca.
  2. *Mark Cordeiro*  
1119 Hoyer Rd.
  3. *John A. Cordeiro*  
1119 HOYER RD.
  4. *George Louis Rose*  
2018 - S. St.
  5. *Her Rose*  
1208 - S. St.
  6. *Domingas Cunha*  
29255 Prince Rd
  7. *Maria Celeste Cunha*  
29255 Prince Rd
  8. *Mary M. Rehvas*  
906 Hoyer Road
  9. *Newman, Calif 95360*  
Edmonda Rehvas
  10. *906 Hoyer rd*  
Newman Cal 95360
  11. *Joseph J. Terra*  
28100 Draper Rd
  12. *James G. Mackey*  
1534 Hoyer Rd
  13. *Mary A. Fay*  
28948 Draper Road
  14. *William Ziegler*  
29113 Hwy 33
  15. *John Brissard*  
961 Hallows Rd
  16. *Joe S. Rocha*  
1754 N. Prince Rd.
  17. *Evelyn Lach*  
1981 Prince St.
  18. *Cecilia Cordeiro*  
1119 Hoyer Rd. Newman
  19. *David T. Cordeiro*  
1155 Hoyer Road Newman
  20. *Mary M. Cordeiro*  
1155 Hoyer Rd Newman
  21. *Naomalee Long*  
17055 Crow's Landing Rd  
Crow's Landing Ca
- Ma B. Terra*  
642 W. Mariposa St  
Newman, Ca 95360

4

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1. *Thin Silver*  
1031 Hoyer RD.
2. *Charlene Wilson*  
1031 HOYER RD.
3. *Lyle Haws*  
1015 S. St.
4. *Florence Haws*  
1215 18th St.
5. *Mamuel J. Hc*  
1107 Hoyer Rd  
Newman, Cal 95360
6. *Mary L. Haws*  
1038 Crestmont  
Newman, Cal 95360
7. *Julia Alvares*  
1522 Merced - Newman, Cal
8. *Enos Josta*  
530 Hills Ferry  
Mamuel Josta
9. *530 Hills Ferry Rd*  
Newman
10. *Augustine Alvares*  
1522 Merced St  
Newman.
11. *Betty Myroza*  
1334 S St, Newman.
12. *Blair Rini*  
10117 E St Newman Ca
13. *Adeline Bowers*  
1405 Euclid
14. *Joe Rineer*
15. *P. L. Togni*  
1153 M
16. *Ann Togni*  
1138 M St
17. *Helen Silver*
18. *Paul Warlick*
19. *Martha Thompson*  
1040 S
20. *Anna Haws*  
1556 West Tulare.
21. *Alette Fouts*  
537 Real CT
22. *James Fouts*  
537 Real CT.

7)  
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- |                      |                       |
|----------------------|-----------------------|
| 1. Denis Gardner     | 12. Mary Maciel       |
| 2. Edmund Schetz     | 13. Murphy            |
| 3. Wanda Brant       | 14. Helen Erickson    |
| 4. Mike Wellington   | 15. Maria Smithy      |
| 5. Mary Costa        | 16. Harri Fering      |
| 6. Donald DeBart     | 17. Hilda Darden      |
| 7. Hilda S. Costa    | 18. Hunter            |
| 8. Glenn DeGrass     | 19. Liz Pacheco       |
| 9. Hugh C. Hickman   | 20. Bob Gortez        |
| 10. Joseph P. Garcia | 21. James L. McDowell |
| 11. Debbie Machado   | 22. Harshad Patel     |

23. Carrie Tuttle  
578 Real Ct.

24. Paul Tuttle  
578 Real Ct.

25. Gillen Ruffanough  
588 Real Ct.

26. Gert Ruffanough  
588 Real Court

27. Anthony J. Freitas  
1006 Ruth Ave  
Newman Cal

28. Pedro Garcia Jr  
577 Real Ct.  
Newman Ca.

29. Cindy Spinelli  
557 Real Ct.  
Newman

30. Michael J. [Signature]  
1418 Q St

31. Linda M. Cameron  
1418 Q St

32. Steve & Terce + Holland  
547 Real Ct

33. [Signature] 1557 LANCASTER ST. Newman

34. Lanna Daniel  
668 Real Ave. G-102

35. [Signature]  
668 Real Ave

36. David Carter  
1983 PINE C

37. Lisa Hall  
667 Lee Ave

38. [Signature]  
667 Lee Ave

39. Donna Kinnick  
587 Real Ave

40. John Kinnick  
587 Real Ave

41. Dawn Garcia  
577 Real Ct

42. Robert J. [Signature]  
1256 L. ST.



8

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- |  |  |
|--|--|
| 1. Julia Souza   | 11. Lori Costa<br>27231 Hwy # 33<br>Newman Calif. 95360      |
| 2. Everett Souza   | 12. David L. Foster<br>27231 Hwy # 33<br>Newman Calif. 95360 |
| 3. M B Aguedo  | 13. Barbara Costa<br>27231 Hwy # 33<br>Newman Calif. 95360   |
| 4. Alice Aguedo  | 14. Daniel Costa<br>27231 Hwy # 33<br>Newman Calif. 95360    |
| 5. Manuel Schmitt  | 15. Walter Whitaker<br>921 N St.<br>Newman CA. 95360         |
| 6. Richard J. Brazil<br>524 E. State Rd.<br>Newman, Calif. 95360 | 16. [Blank]  |
| 7. Helen Sebece  | 17. [Blank]  |
| 8. Cecelia M. Brazil<br>524 E. State Rd.<br>Newman, Calif.       | 18. [Blank]  |
| 9. [Blank]<br>1118 O. St.<br>Newman, Calif.                      | 19. [Blank]  |
| 10. Henry V. Linn<br>1118 O. St.<br>Newman, Calif. 95360         | 20. [Blank]  |

12

We would like the city council to please consider removing the "parkway" idea of a circular roadway surrounding the city of Newman from the general plan. Some of the reasons are as follows:

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1. Joan Bell  
2006 T St., Newman  
95360
2. Mary E. Dialho  
2544A Hwy 33  
Newman Rd. 95360
3. Adeline Henderson  
1211 P St.  
Newman, Cal. 95360
4. Jeannie Webb Carter  
837 ORESTIMBA RD  
Newman CA 95360
5. Raylito  
1365 Patchett Dr. Newman 95360
6. Lillian Pauletto  
1365 Patchett Dr.  
Newman, CA 95360
7. Paul S. Hill  
1105 P St. Newman 95360
8. James E. Shucum  
929 PLESDO ST.  
Newman, CALIF.
9. Shirley De Oliveira  
832 Hayer Rd.  
Newman Calif 95360
10. Janice A. Correa  
1945 S St.  
Newman, CA. 95360
11. Manuel De Oliveira  
832 Hayer Rd  
Newman CA 95360
12. Donny Cope  
1032 OS St  
Newman, CA 95360
13. Michael Rarr  
3215 HILLSFERRY RD  
NEWMAN
14. Manuel Ug  
29240 Drega Rd.
15. Rume Co.  
Earl Leon Jilley  
821 Orestimba Rd.  
Newman CA
16. Susan Cope  
1032 S St.  
Newman CA 95360
16. Dupe Origuey  
512 Inyo Ave.  
Newman, CA. 95360
19. Irma Salinas  
2432 Canyon View Dr  
Newman CA 95360
20. Pearl X Sparrow
21. Einar Larsen  
1144 T St.  
Newman
22. Harline R. R.  
1422 Merced St  
Newman, CA 95360
23. Harline R. R.  
1305 T St  
Newman, CA
24. Vera Wilson  
1144 T St  
Newman

5. Manuel Delatorre  
282413 Cypress St.  
Newman, Ca 95360

6. Stanley Dami  
2242 Orchard Creek Dr..  
Newman CA. 95360

7. Carol Dami  
2242 Orchard Creek Dr..  
Newman CA. 95360

9

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<u>NAME</u>	<u>ADDRESS</u>
1. <del>John</del>	1932 <del>...</del>
2. <del>Louise L. L...</del>	1121 O St. Newman, Ca.
3. <del>Ellen</del> Kelly	1221 Ti Neerue
4. <del>Emma McKenye</del>	898 Tigfere Newman
5. <del>Alice Richards</del>	1482 Upper Rd. Newman, Ca.
6. <del>W.L. McDonald</del>	1017 F ST. NEWMAN CA 953
<del>Emily McCune</del>	1510 <del>...</del> St. - Newman
<del>Doris &amp; Frank Lee</del>	1162 P St Newman
9. <del>Nora</del> <del>...</del>	130 Anderson Rd
10. <del>Helena B. Baker</del>	918 Real Ave. Newman, CA.
11. <del>Paula Souza</del>	1035 Yolo St. Newman Ca
12. <del>...</del>	1942 Pine ST NEWMAN CAL
13. <del>Barb Amara</del>	1203 'S' ST Newman Ca
14. <del>Verast Pacheco</del>	27037 RD Newman Calif
15. <del>Daisy Siqueira</del>	1603 West Ave. Newman, Calif
16. <del>James</del> <del>...</del>	G-106 1665 <del>...</del> Newman



Lucille Quattri  
 516 R ST. ST. NEWMAN, CA.  
 Gloria Gamaral  
 P.O. Box 255  
 Newman, Calif. 95360  
 Alice Hoffmann  
 1228 - T - St -  
 Newman, Calif. 95360  
 Jessie L. Frost.  
 1236 T St  
 Newman Co. 95360  
 Laverne Sophia  
 1254 T St.  
 Newman Ca. 95360  
 Donald B. Diney  
 1345 MERCED ST  
 NEWMAN CAL 95360  
 Maria Diney  
 1245 MERCED ST  
 NEWMAN CAL. 95360  
 Jack Collins  
 29255 S. Hwy. 33  
 ? Newman, 95360.  
 Gloria J. Capps  
 813 Hoyer Rd 95360  
 Harry Capps  
 813 Hoyer Rd  
 Susan Ing  
 1355 C. St. Newman.  
 Gene Smith  
 557 Regl Ct.  
 Elsie Preston  
 1006 Ruth Ave  
 Crestonville, Arkansas  
 1357 T. St. Newman  
 Marie Sebastian  
 1137 Hollowell Rd.  
 Newman, Ca  
 Emma F. Arvola  
 814. Hoyer Rd  
 Newman Ca 95360

34 - Rose Tepeera  
 1338 T St Newman  
 35 - Paula J. Lowry  
 1305 T ST. NEWMAN  
 36 - John J. Horner  
 1325 T ST. Newman  
 37 - Lucille Woten  
 1337-T. St. Newman  
 38 - ~~Muttota~~  
 1337-T. St. Newman  
 39 - Kenneth R. Riddle  
 2718 Fitch Rd.  
 40 - Billy A. Roberts  
 28813 Upper Rd  
 41 - Bert Miller  
 1058 T St.  
 42 - John Hoffman  
 1055 T St.  
 James McComb  
 43 - 929 LeCave  
 Linda McComb  
 44 - 929 LeCave  
 45 - ~~Michael J. Ray~~  
 26243 McIntosh Rd  
 46 - Bernice Homen  
 1325 T St  
 Newman  
 47 - Robert D. Giral  
 1524 Hoyer  
 Newman  
 48 - Howard E. Moore  
 1461-T. St  
 49 - Alice Moore  
 1461 T. St. Newman  
 50 - Hazel Silva  
 879 Lee Ave.  
 Newman  
 51 - George Silva Jr  
 879 Lee Ave Newman  
 52 - Will Whitehead  
 1378 N. 1st St

We would like the city council to please consider removing the "parkway" idea of a circular roadway surrounding the city of Newman from the general plan. Some of the reasons are as follows:

- A. The grid system is preferable.
- B. It will require the removal of homes.
- C. It divides property to prevent irrigation.
- D. It paves over existing irrigation pipelines.
- E. It paves over front yards and wells.
- F. It reduces property values and could tie up land for the next twenty years.

1. *David E. Oliveira*  
25701 Ferguson Rd.  
Newman, Ca. 95360
2. *Jesse Vila* 1966 T.S.T.
3. *Carroll G. V. C.*  
T.S.T.
4. *Margaret Costa*  
O St
5. *Maria L. Vargas*  
1114 Fresno
6. *Luis J. Vargas*
7. *Julie Mungo*  
29436 Upper Rd  
Newman, CA. 95360
8. *ANNETTE GOMES*  
28937 UPPER RD  
NEWMAN, CA. 95360
9. *Danna Drumond*  
1302 W St  
Newman
10. *Tony B. Santos*  
28930 Upper Rd  
Newman Ca. 95360
11. *Arthur Mungo*  
749 'R' St  
Newman Ca 95360
12. *Patricia B. Mungo*  
749 R St  
Newman, Ca. 95360
13. *Carmen D. Mungo*  
1543 R St  
Newman Ca 95360
14. *Sgt. Raymond*  
914 Hallowell Rd.  
Newman, CA 95360
15. *Richard F. George*  
1552 West Fulton  
Newman, Ca. 95360
16. *Helen Chow*  
1413 O St
17. *Shyllis Wisdom*  
719 Driskell #13
18. *Deliver Bladung*  
P.O. Box 323
19. *Sharon Wisdom*  
719 Driskell Ave #13
20. *Ralph Brubaker*  
2224 SPRING ST
21. *Robert H. Carter*  
1311 Stephens Ave
22. *Janis Lasater*  
1313 Porter Way

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1. Carolina Escobar  
596 Fig Lane
2. Natalie Oliveira  
596 Fig Lane
3. Cathy Sequeira  
599 Fig Lane  
Newman, Ca. 95360
4. Vivian Sequeira  
594 Fig Lane  
Newman Calif
5. Cheri Ridenhour  
624 Fig Lane  
Newman, CA
6. Joan Coelho  
676 Fig Lane  
Newman, Ca. 95360
7. John M. Kester Sr  
698 Fig Lane  
Newman, Ca.
8. Gae Frewey  
742 Fig Lane  
Newman Ca 95360
9. Mike L. Frewey  
742 Fig Lane  
Newman Ca 95360
10. Mr. Mrs. Cardone  
752 Fig Lane  
Newman CA 95360
11. Shelly Enriquez  
939 F.S Lane  
NEWMAN CA  
95360
12. Betty Barington  
Lucile
13. Olive Walker  
878 Fig Lane
14. John Tackerson  
888 Fig Lane
15. Lil Tackerson
16. Gary VMGAS  
898 Fig Ln.
17. Carrie Andersen  
898 Fig Lane  
Newman Cal.
18. Warren Cessen  
908 Fig Lane
19. James A. Gustavson  
918 Fig Lane
20. Frank F. Jones  
925 Fig Lane
21. Eleanore M. Black  
859 Real Ave  
Newman Ca 95
22. Mrs. Anna  
944 Fig Lane



14  
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- C. It divides property to prevent irrigation.
- D. It paves over existing irrigation pipelines.
- E. It paves over front yards and wells.
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1. Lynn Wood  
1207 Amy Dr  
Newman, CA 95360
2. Lynn Wood  
1207 Amy Dr  
Newman Ca 95360
3. J.W. Howard  
1219 Amy Dr  
Newman Ca
4. Rosie Howard  
1219 Amy Dr  
Newman Ca
5. Emma Stog  
1230 Amy Dr  
Newman Ca
6. Emma Stog  
1230 Amy Dr  
Newman Ca
7. Emily Seivora  
1249 Amy Dr  
Newman
8. Anne Bryn Clithy  
1254 Amy Dr  
Newman
9. Rafael Castillo  
1265 Amy Dr  
Newman
10. Super Self  
1285 Amy Dr  
Newman
11. Bud Self  
1285 Amy Dr  
Newman 95360
12. Juanita Castillo  
1275 Amy Dr  
Newman Ca
- 13.1 Orville L. Brzaj  
1267 Amy Dr
14. Aileen F Smith  
1255 Amy Dr.
15. Bill Wells  
1254 Amy Dr.
16. Kelly & Brett Kirby  
1230 Amy Dr
17. Monty Richardson  
1326 E. St Newman
18. Ernest M. Moore  
1226 Amy Dr
19. Ed Richards  
1222 Amy Dr  
Newman, Ca.
20. Maria Seivora  
1218 Amy Dr  
Newman Cal 95360
21. Joe J. Seivora  
1218 Amy Dr  
Newman Cal 95360
22. James J. Meyer  
1226 Amy Dr
23. W.A. Barnes  
1307 Amy Dr  
Newman 1307
24. Kay Lagutta  
1306 E. St  
Newman, CA 95360



## APPENDIX H

### RESPONSE TO DRAFT EIR COMMENTS

The following list identifies the written comments received on the *Draft General Plan EIR* (included as Appendix G). Each comment is summarized and a response given.

#### LIST OF COMMENTS

Douglas Stephens Stephens Realtors 1350 "O" Street Newman, CA 95360	Letter dated 12/18/91
Luree Stetson Department of Conservation The Resources Agency of California	Letter dated 12/27/91
Tim Taira, P.E. TJKM 4637 Chabot Drive, Suite 214 Pleasanton, CA 94588-2754	Letter dated 1/7/92
David L. Hurlbut Stanislaus County Office of Education 801 County Center Three Court Modesto, CA 95355	Letter dated 1/8/92
Erik P. Justesen RRM Design Group 3026 South Higuera Street San Luis Obispo, CA 93401	Letter dated 1/8/92
Randall O'Dell Thompson-Hysell, Inc. 1016 12th Street Modesto, CA 95354	Letter dated 1/8/92
Edwin T. Harte Yosemite Community College District P.O. Box 4065 Modesto, CA 95352	Letter dated 1/8/92
Robert Walters, Morrison Homes and Arthur L. Lorenzini, Claremont Homes 5726 Sonoma Drive Pleasanton, CA 94566	Letter dated 1/9/92

Naomalee Rose 17055 Crows Landing Road Crows Landing, CA	Letter dated 1/9/92
John S. Perkins House, House & Perkins 909 Coleman Ave, Suite 204 San Jose, CA 95110	Letter dated 1/9/92
Antonio Cordiero	Letter dated 1/9/92
Charles Barnes Department of Public Works Stanislaus County 1100 H Street Modesto, CA 95354	Letter dated 1/10/92
Compliance notice from OPR	Letter dated 1/10/92
Barbara Too	Letter dated 1/10/92
Keith Munroe Department of Environmental Resources Stanislaus County 1716 Morgan Road Modesto, CA 95351	Letter dated 1/10/92
David Jones Stanislaus County Department of Environmental Resources Air Pollution Control District 1716 Morgan Road Modesto, CA 95351	Letter dated 1/10/92
Erma Santos	Letter dated 1/11/92
Sadie Oliveira 25701 Jorgensen Road Newman, CA 95360	Letter dated 1/12/92
Mary Ramos	Letter dated 1/12/92
Mary and Ed Relvas	Letter dated 1/13/92
Ruth A. Haynam Gustine-Newman Veterinary Service 29013 Highway 33 Newman, CA 95360	Letter dated 1/13/92

Steve Burke  
Board Member  
Land Utilization Alliance  
P.O. Box 1259  
Stockton, CA 95356

Letter dated 1/13/92

Patrick McGrath  
Normoyle & Newman  
1700 Standiford Ave, Suite A-340

Letter dated 1/13/92

David L. Dolenar  
Chief Administrative Officer  
Stanislaus County  
P.O. Box 3404  
Modesto, CA 95353

Letter dated 1/13/92

Steven A. Herum  
Neumiller & Beardslee  
509 West Weber Avenue  
Stockton, CA 95203

Letter dated 1/13/92

Ron E. Freitas  
Stanislaus Local Agency Formation Commission  
1100 H Street  
Modesto, CA 95354

Letter dated 1/13/92

Keith Mahan  
Agricultural Commissioner  
Stanislaus County Department of Agriculture  
Department of Weights and Measures  
725 County Center III Court  
Modesto, CA 95355

Letter dated 1/14/92

Michael Hinshaw  
California Department of Transportation  
1976 East Charter Way  
Stockton, CA 95201

Letter dated 1/15/92

Tom and Barbara Powell  
27631 Fig Lane  
Newman, CA 95360

Letter dated 1/22/92

Frank Duarte

Letter undated

Petition opposing parkway

No date, submitted January 9, 1992

Douglas Stephens  
Stephens Realtors  
1350 "O" Street  
Newman, CA 95360

Letter dated 12/18/91

### **Letter Summary**

Mr. Stephens suggests adding an additional 750 acres, including the 447-acre Freitas McPike Ranch, into the *General Plan* as an enterprise zone for industrial development.

### **EIR Response**

The commentor raises a policy issue, as the *Draft EIR* did not consider the impacts of inclusion of this area within the *General Plan*. As a policy matter, the City did not elect to include this area in the Planning Area for the *General Plan*.



## Letter Summary

Ms. Stetson suggests that the EIR address the multiplier effect on the monetary value of converting agricultural land and the impacts on land under Williamson Act contracts in the surrounding area. She recommended several mitigation measures to address the impacts on agricultural lands, including adopting a right-to-farm ordinance, the use of buffers, directing growth to nonprime soils, higher density development, encouraging the use of Williamson Act contracts, and allowing for the transfer or purchase of development rights.

## EIR Response

Concerning the financial analysis suggested by Ms. Stetson, see the response to Steve Burke, Land Utilization Alliance (1/13/92).

The location of Williamson Act lands is described in the *General Plan Background Report*. A discussion of the effects on all agricultural lands is included in the *EIR*. No specific Williamson Act contract cancellations are proposed as part of the *General Plan*. As described in Chapter VII of this *EIR*, development under the *General Plan* could result in the nonrenewal or cancellation of Williamson Act lands. Any projects proposing cancellation will be considered when a specific project is proposed.

Several of the mitigation measures suggested by Ms. Stetson, (e.g, right-to-farm ordinance and using buffers), are included as policies in the *General Plan*. Other recommendations were considered in determining the Planning Area and land use designations. Lower quality soils are included in the Planning Area and designated for urban development; higher residential densities were included in the plan to promote efficient use of land; and no large lot rural or estate residential land use designations were included. Many of the other methods suggested by Ms. Stetson are not appropriate for a city or are not feasible. For instance, the City cannot actively promote the use of Williamson Act contracts within the city since it is assumed that only land with urban development will be annexed to the city and that agricultural land will remain in unincorporated Stanislaus County. Similarly, transfer or purchase of development rights would not be feasible within the city and is more appropriately addressed by merely designating the land for agricultural use within the county.

Tim Taira, P.E.  
TJKM  
4637 Chabot Drive, Suite 214  
Pleasanton, CA 94588-2754

Letter dated 1/7/92

## Letter Summary

Mr. Taira makes several comments concerning the proposed circulation plan:

**Comment:** The parkway right-of-way should be four lanes maximum and never six lanes.

**EIR Response:** The parkway was eliminated in final the *General Plan* and replaced by a set of major arterials. The major arterial in the northern part of the city will provide right-of-way for six lanes. While six lanes is not required at buildout of the *General Plan*, traffic analysis indicates that a small amount of additional development would necessitate the need for six lanes along this segment. Therefore, right of way for six lanes will be reserved to provide for eventual capacity for development of the urban reserve areas.

**Comment:** Mr. Taira suggests that the north-south road in the Northwest Quadrant should be a two-lane collector with transition to a four-lane collector.

**EIR Response:** The need for four lanes is based on the projected traffic volumes for this roadway. Based on the best information available about what the future traffic volumes are likely to be, a four-lane facility seems clearly warranted. To plan for only a two-lane facility would be inviting congestion and safety problems with the future with the level of traffic expected.

**Comment:** Mr. Taira suggests that the widths of the cross-sections in the *General Plan* be reduced.

**EIR Response:** This is a policy issue rather than an environmental issue to be addressed in the *EIR*. The cross-sections standards are those which the City Engineer and the traffic consultants recommend and are well within standards for each type of facility.

**Comment:** Mr. Taira suggests that the Jensen Road collector with future canal crossing potential should be eliminated from the plan.

**EIR Response:** Again, this is a policy issue. This roadway designed to leave open the possibility of a future canal crossing is included to ultimately provide access when development occurs in the area west of the canal designated as urban reserve..

**Comment:** Mr. Taira suggests that alternatives to designating Orestimba Road as an arterial be considered, including allowing Level of Service E on a portion of Orestimba Road, establishing a four-lane collector, or an alternative utilizing Hardin Road and T Street.

**EIR Response:** Designation of Orestimba Road as an arterial was a mitigation recommended in the *Draft EIR* to provide for adequate level of service and was incorporated into the final *General Plan*. Mr. Taira's suggestions would provide for an unacceptable level of service, would require the creation of a new roadway classification only for that section of roadway, or would be an

infeasible alternative. Designating Orestimba Road as an arterial is a more effective and logical approach than any of these alternatives.

**Comment:** Mr. Taira suggests changes to the proposed bikeway system

**EIR Response:** Comment noted. The bikeway system was revised in the final *General Plan*.

David L. Hurlbut  
Stanislaus County Office of Education  
801 County Center Three Court  
Modesto, CA 95355

Letter dated 1/9/92

### **Letter Summary**

Mr. Hurlbut requests that the impacts on the Stanislaus County Office of Education be addressed in the *EIR* and provides information on the services the Office of Education provides and yield ratios for those services.

Mr. Hurlbut recommends that the County Office of Education be added to the *General Plan* policies concerning the Newman-Crows Landing Unified School District, with the exception of those policies regarding the collection of development fees because the Office of Education does not have the legal authority to collect such fees.

### **EIR Response**

An analysis of the impacts on services provided by the SCOE was added to the *Final EIR* in Chapter VI, "Schools." Given the magnitude of impacts and the time frame for buildout of the *General Plan*, the impacts are considered less-than-significant. In addition, these services are countywide in nature and are thus more appropriately addressed on a countywide basis, perhaps including the County's Public Facilities Fees.



Erik P. Justesen  
RRM Design Group  
3026 South Higuera Street  
San Luis Obispo, CA 93401

Letter dated 1/8/92

## Letter Summary

Mr. Justesen makes numerous comments, which are summarized as follows:

**Comment:** Mr. Justesen is concerned that encouraging infill is not realistic, and is concerned that policies encouraging infill development might be added at the expense of removing land from the Planning Area currently outside the city limits.

**EIR Response:** The *General Plan* includes numerous goals and policies to encourage infill development, including promoting the use of secondary units in existing neighborhoods and multi-family housing on vacant and underutilized parcels. Infill development provides for an efficient use of land and existing infrastructure. No land, however, was removed from the Planning Area in the final *General Plan*.

**Comment:** Mr. Justesen comments that Policy II.A.9 overburdens new development by requiring it to pay for excessive circulation improvement costs. Mr. Justesen also suggests that the *EIR* include an analysis of the types of funding alternatives for traffic improvements.

**EIR Response:** Policy II.A.9 requires that "new development pay its share of the costs of circulation improvements" and fully pay for all improvements needed as a result of such development. This policy requires new development to fully mitigate only its impacts on the circulation system, rather than burdening existing residents with subsidizing these costs. The *EIR* does not analyze various funding mechanisms, as this is not a requirement under CEQA. Policy II.A.9 suggests traffic impact fees and other funding mechanisms. The funding mechanisms will be determined through the City's infrastructure plan and in conjunction with individual specific plans.

**Comment:** Mr. Justesen comments that Figure V-1, a map of the Water System, is missing from his copy of the *Draft EIR* and suggests that storage should include wells rather than only reservoirs.

**EIR Response:** Through a printing error, it appears that this figure was missing from Mr. Justesen's copy of the *Draft EIR* but was available in other copies. The infrastructure plans on which the EIR analysis was based, including the *Water System Master Plan*, were the subject of much discussion during the review of the *Draft General Plan* and *Draft EIR*. Therefore, Mr. Justesen had the opportunity to address the *Water System Master Plan* directly. Other water storage facilities are included in the *Water System Master Plan*, as indicated in Chapter IV of the *Final EIR*.

**Comment:** Mr. Justesen suggests that mitigation measures to improve police and fire service should not be addressed on a citywide basis, but rather at the specific plan level.

**EIR Response:** While these services are provided on a citywide basis, new development will require additional facilities and staffing. Specific requirements for such funding were not, however, added to the specific plan guidelines.

**Comment:** Mr. Justesen suggests removing Figure V-4, which illustrates the number and general location of new school sites from the *EIR* as it is too specific, considering that specific residential types and demographics are still unknown.

**EIR Response:** Figure V-4 is clearly described as illustrative and as providing only a general location for new school sites. While specific demographics are unknown, assumptions based on the land use designations and student yield factors are sufficient to estimate the number and general location of new schools that will be needed. As stated in the *EIR*, the exact location and timing of new schools will be determined through school district policy. School district personnel, however, have indicated they support the inclusion of such an illustrative diagram in the *EIR*.

**Comment:** Mr. Justesen expresses concern over the appropriateness and legality of the *General Plan*'s park standard of 5 acres per 1,000 population, since this is higher than would currently be permitted in Newman under the Subdivision Map Act, and suggests that the *EIR* analyze the provision of parks at a lower ratio. Mr. Justesen also suggests that the *General Plan* include policy language encouraging the development of parks as joint use facilities. He also suggests that Figure VI-1, which illustrates the potential number and general locations of new parks, be removed from the *EIR*.

**EIR Response:** The park standard in the *General Plan* is a policy issue rather than an environmental issue, and the *EIR* analyzes the park standard specified in the *General Plan* since this is its stated goal. While Policy V.A.1 does establish a standard of 5 acres per 1,000 population, Policy V.A.2 states that "new development will be required to contribute to meeting the City's standard . . ." and identifies various means by which this can be achieved, ". . . to the maximum extent authorized by law." The addition of language encouraging joint use of parks is a policy issue rather than an environmental one and thus requires no *EIR* response. Concerning Mr. Justesen's suggestion that the park figure be deleted, it is characterized as being only illustrative, and as such, provides useful information to the public concerning the general location and number of parks.

**Comment:** Mr. Justesen suggests that a statement of overriding considerations should be made since the significant adverse impacts of agricultural land conversion cannot be mitigated.

**EIR Response:** Comment noted. No response is necessary.

**Comment:** Mr. Justesen raises concerns over the programs suggested in the *Draft EIR* to mitigate the impacts on the Swainson's Hawk habitat. As regional mitigation programs are not yet established, individual projects would have difficulty complying with these policies.

**EIR Response:** Comment noted. The following policies were added to the *General Plan* to address the impacts on Swainson's Hawk while allowing for individual projects to continue:

*VI.C.2. The City shall require mitigation of potential impacts on special-status plant and animal species based on a policy of no-net-loss of habitat value. Mitigation measures shall*

*incorporate, as the City deems appropriate, the guidelines and recommendations of the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Implementation of this policy may include a requirement that project proponents enter into an agreement with the City satisfactory to the City Attorney to ensure that the proposed projects will be subject to a City fee ordinance to be adopted consistent with the regional Habitat Management.*

*VI.C.3. The City shall support and participate in local and regional attempts to restore and maintain viable habitat for endangered plant and animal species. To this end, the City shall work with surrounding jurisdictions and state and federal agencies in developing a regional Habitat Management Plan. Such plan shall provide data for the Newman area on special status species, including Swainson's Hawk, and shall provide guidelines and standards for mitigation of impacts on special status species.*



Randall O'Dell  
Thompson-Hysell, Inc.  
1016 12th Street  
Modesto, CA 95354

Letter dated 1/8/92

## Letter Summary

Mr. O'Dell submitted several comments, as summarized below:

**Comment:** Mr. O'Dell is concerned over the need for the width of the parkway.

**EIR Response:** The parkway was eliminated in final the *General Plan* and replaced by a set of major arterials. The major arterial in the northern part of the city will provide right-of-way for six lanes. While six lanes is not required at buildout of the *General Plan*, traffic analysis indicates that a small amount of additional development would necessitate the need for six lanes along this segment. Therefore, right of way for six lanes will be reserved to provide for eventual capacity for development of the urban reserve areas.

**Comment:** Mr. O'Dell suggests that standards for water, sewer and storm drain should be removed from the *General Plan* and *EIR*; instead, these standards should be placed in the infrastructure master plans.

**EIR Response:** These systems are summarized in the *EIR* but will be more specifically identified in the Master Plans. Standards are included in the *General Plan* as required by state law and as deemed appropriate by the City.

**Comment:** Mr. O'Dell suggests that a combination of water storage reservoirs and wells would be more cost-effective than reservoirs alone.

**EIR Response:** Additional work was done on the infrastructure master plans since the *Draft General Plan* and *Draft EIR* were circulated for public review. As summarized in Chapter IV of this *EIR*, the suggested change was incorporated into the water master plan.

**Comment:** Mr. O'Dell comments that joint-use school and park detention basins should be encouraged in the *EIR* and *General Plan*.

**EIR Response:** This comment addresses a policy issue. Joint use facilities are encouraged in the *General Plan*.

**Comment:** The storm drain and sewer discussions should be modified to allow for flexibility on watersheds, allow for various discharge techniques, and allow interim facilities in concert with the ultimate infrastructure master plans.

**EIR Response:** The *Sewer System Master Plan* and *Drainage Master Plan* indicate the ultimate system to be used to serve buildout of the *General Plan*. These plans will be used as guidelines to review project proposals. The phasing and interim facilities will be determined in the *Citywide Services Master Plan*, an implementation program of the *General Plan*.



Edwin T. Harte  
Yosemite Community College District  
P.O. Box 4065  
Modesto, CA 95352

Letter dated 1/8/92

### **Letter Summary**

Mr Harte requested the inclusion of impacts to Yosemite Community College District within the analysis of the EIR.

### **EIR Response**

An analysis of the impacts to the Yosemite Community College District was added to the *Final EIR* in Chapter VI, "Schools." Given the magnitude of impacts and the time frame for buildout of the *General Plan*, the impacts are considered less-than-significant.

Robert Walters, Morrison Homes  
and Arthur L. Lorenzini, Claremont Homes  
5726 Sonoma Drive  
Pleasanton, CA 94566

Letter dated 1/9/92

## Letter Summary

Mr. Walters and Mr. Lorenzini made several comments, summarized below.

**Comment:** Mr. Walters and Mr. Lorenzini suggest that the City request Stanislaus County to modify its *General Plan* to be consistent with the County General Plan and suggest modifications to policy language to articulate this intent.

**EIR Response:** The *EIR* recommends this action as a mitigation measure.

**Comment:** Mr. Walters and Mr. Lorenzini agree with the mitigation measures concerning infill in the *DEIR*, and request the opportunity to participate if a definition for urban infill is added to the policies of the *General Plan*.

**EIR Response:** This comment addresses a policy rather than an environmental issue; however, it should be noted that no definition of infill was added to the *General Plan*.

**Comment:** Mr. Walters and Mr. Lorenzini support Policy III.A.10 encouraging the expeditious processing of housing projects, and assume this includes projects with prior written agreements with the city.

**EIR Response:** This comment addresses a policy rather than an environmental issue; however, it should be noted that this is a general policy which would not exclude projects with prior written agreements.

**Comment:** Mr. Walter and Mr. Lorenzini suggest that some policies in the *General Plan* run counter to Policy III.A.12 and pose unnecessary constraints to the development of affordable housing. They suggest making modifications to the street cross-section requirements and other policies concerning the construction of public facilities.

**EIR Response:** Again, this comment primarily addresses a policy issue. Refer to the response to Tim Taira (1/9/92) concerning street cross-sections. Some of the other policies mentioned were modified; however, for health and safety reasons, it is important that necessary public facilities be available prior to new housing occupancy.

**Comment:** Mr. Walter and Mr. Lorenzini suggest that the *General Plan* include policies to encourage joint-use facilities.

**EIR Response:** Again, this comment primarily addresses a policy issue. The City shall develop joint use facilities as it deems appropriate.

**Comment:** Mr. Walter and Mr. Lorenzini suggest modifications to Implementation Program IV-1.

**EIR Response:** This comment addresses a policy issue and does not require an EIR response. This implementation program was modified in the final *General Plan*.

**Comment:** Mr. Walter and Mr. Lorenzini suggest that the policy language suggested as mitigation of impacts on groundwater are unnecessary because residential development uses less water than agricultural acreage.

**EIR Response:** The policy suggested as mitigation, which was incorporated into the *General Plan*, would prohibit new development without a demonstrated adequate water supply. Much of the water supplied to agricultural lands in the Planning Area are surface water supplies. The City does currently have access to this surface water, however, so as agricultural lands are annexed to the city, they are served solely by the city's groundwater supply and will further deplete it. While the *General Plan* includes policies to explore the acquisition of surface water supplies, as an overall policy it will rely on groundwater until such supplies are acquired.

**Comment:** Mr. Walter and Mr. Lorenzini suggest that if language is added to the specific plan guidelines to contribute to public safety facilities, this policy language should provide for only the new development's "fair share".

**EIR Response:** The policy suggested as mitigation were not added to the specific plan guidelines; rather these issues shall be addressed on a citywide basis.

**Comment:** Mr. Walter and Mr. Lorenzini suggest modifications of the school-related policies to add language encouraging joint use park-school facilities and amending Policy IV. H.5.

**EIR Response:** The addition of language explicitly calling for development of joint use facilities was not added to this policy; rather the City will develop these facilities as deemed appropriate on a case-by-case basis. Policy IV.H.5 was revised to read as follows:

*The City shall work with the Newman-Crows Landing Unified School District to ensure that school facilities are planned and constructed and that funding mechanisms are in place, pursuant to state guidelines and policies, to meet future student population needs.*

**Comment:** Mr. Walter and Mr. Lorenzini suggest that the park land policies are not those mandated by the state.

**EIR Response:** See response to this issue to Erik Justesen, RRM Design, (1/8/92).

Mr. Walters and Mr. Lorenzini also referenced their previous comments concerning the *General Plan Policy Document*. These address policy issues, and as such do not require an EIR response. The City Council did consider these comments and many modifications to the policies were made in the final *General Plan*.

Naomalee Rose  
17055 Crows Landing Road  
Crows Landing, CA

Letter dated 1/9/92

### **Letter Summary**

Ms. Rose suggests that the *General Plan* does not adequately evaluate marginal agricultural and non-Williamson Act properties. She also suggests that the *EIR* does not discuss the impacts of water delivery to parcels in agricultural production.

### **EIR Response**

According to the goals and policies of the *General Plan*, land shall remain in agricultural production until urban development is imminent. As such, no disturbances to agricultural water delivery should occur. Upon annexation to the city, land will be removed from the local irrigation district, and the City will become the water provider. These impacts are discussed in the Water section of Chapter V, Public Facilities and Services. Ms. Rose does not specify how the *EIR* analysis is inadequate concerning agricultural lands and non-Williamson Act lands. The *EIR* focuses on the impacts on prime agricultural lands.



John S. Perkins  
House, House & Perkins  
909 Coleman Ave, Suite 204  
San Jose, CA 95110

Letter dated 1/9/92

### Letter Summary

Mr Perkins commented that a parcel was split, partially designated as Urban Reserve and partially with a primary residential designation. He suggests that division of this parcel creates an agricultural island. He comments that subarea "L" (from the *Draft EIR*) is the only urban reserve designation which does not use a public street as a boundary. Additionally, he suggests that mitigation measures be adopted to minimize agricultural adverse effects such as noise and pesticide spraying.

### EIR Response

To some extent, Mr. Perkins' comment concerns the policy issue over the designation of a parcel of property. This parcel was one of very few split to create a straight linear boundary between the non-reserve and reserve designations. This linear boundary was intended to minimize potential conflicts between urban and agricultural uses created by allowing peninsulas of urban development into agricultural operations. Designating the entire parcel as Mr. Perkins suggests would create an urban peninsula into an agricultural area and thus would potentially affect the operations of surrounding agriculture. Because of the diagonal slant of the county line, it was not feasible to use a roadway as a buffer between the reserve and non-reserve designations in this area.

The *General Plan* includes several policies to minimize conflicts between agricultural and urban uses.

Charles Barnes  
Department of Public Works  
Stanislaus County  
1100 H Street  
Modesto, CA 95354

Letter dated 1/10/92

## Letter Summary

Mr. Barnes made the following comments on Chapter IV, Transportation and Circulation:

**Comment:** Mr. Barnes requests that the County Public Works Department be provided an opportunity to review and comment on possible traffic impacts associated with new development in Newman.

**EIR Response:** All subsequent project EIRs will be sent to County departments for their review and comment.

**Comment:** The EIR should describe the number of trip ends at final buildout and the impacts on county roads.

**EIR Response:** Table IV-1 of this *EIR* lists the trip generation rates and Chapter IV analyzes the traffic volumes on the primary county roads serving Newman, Stuhr Road and Hills Ferry Road.

**Comment:** The EIR should address the possibility of an increase in population before jobs are developed in Newman.

**EIR Response:** The *EIR* analyzes the impacts of full buildout of the *General Plan*. While residential and non-residential land uses are not likely to develop at the same rate; it is unlikely that all the residential will be developed before any nonresidential. So while commuting may be higher than the percentage described in the *EIR*, the city's population will presumably be lower at that time than at full buildout. Therefore, the traffic volumes should not exceed that described in the *EIR*.

**Comment:** Figures IV-1 through IV-6 should have the names of major streets, along with the average daily traffic and volume/capacity ratio of Stuhr Road, Orestimba Road, Shiells Road, and Highway 33.

**EIR Response:** Comment noted. The figures were revised in the *Final EIR*.

**Comment:** Improvements to Stuhr Road and the Stuhr Road/I-5 interchange are not included in the County's Public Facilities Fees, therefore Newman should support changes in the County's Fees to fund improvements.

**EIR Response:** The traffic model did not indicate that any improvements would be needed outside the Planning Area on Stuhr Road or the I-5/Stuhr Road interchange. Furthermore, the *General Plan* includes policies concerning cooperation with Stanislaus County and Caltrans.

**Comment:** Mr. Barnes comments that the County will assume that Newman policies requiring new development to address "the total cost of required improvements" will apply to improvements outside the Planning Area.

**EIR Response:** The traffic model did not indicate that any improvements would be needed outside the Planning Area on Stuhr Road or at the I-5/Stuhr Road interchange. The City collects the County's Public Facilities Fees on new development in Newman to address the impacts on County services. It is assumed that the County will review and revise these periodically to ensure that the fees are appropriate.

**Comment:** Mr. Barnes notes that the funding split between the Newman, Patterson, and the County in funding public transportation may eventually require adjustment.

**EIR Response:** Comment noted. It is assumed that this will be monitored and addressed as necessary.

**Comment:** The EIR should analyze the impacts new growth will have on the County's Public Facilities Fees.

**EIR Response:** As stated above, the traffic model did not indicate that any improvements would be needed outside the Planning Area on Stuhr Road or at the I-5/Stuhr Road interchange. Further, to accurately assess needed changes in the fee structure, this *EIR* would need to have access to all the assumptions and methodology used by the County to determine the fees countywide, and would have to factor in all changes in development projections countywide. It is assumed that given the major new development projects which have been proposed in the county and those which were proposed at the time the fees were established and have since been abandoned, along with substantial planning changes in cities throughout Stanislaus County, the County will periodically reevaluate its fees, rather than address needed changes on a piecemeal basis.

### **Letter Summary**

Ms. Too requests an analysis of the impacts of the *General Plan* on air quality, loss of agricultural land, groundwater, and traffic impacts.

### **EIR Response**

All these impacts are addressed in this *EIR*.



Keith Munroe  
Department of Environmental Resources  
Stanislaus County  
1716 Morgan Road  
Modesto, CA 95351

Letter dated 1/10/92

## Letter Summary

**Comment:** Mr. Munroe suggests several typographic and semantic corrections, including making a clear distinction between waste "generated" and waste "disposal".

**EIR Response:** Comment noted. The suggested revisions were made in the section on solid waste in Chapter VI of this *EIR*.

**Comment:** Mr. Munroe suggested revisions to the calculations on waste generation.

**EIR Response:** The table showing waste disposal at buildout was revised to make it clear that it referred to waste disposal rather than generation, and to account for the buildout of the final *General Plan*.

**Comment:** Mr. Munroe suggested revisions to the policies mitigating the impacts.

**EIR Response:** Comments noted. The suggested revisions were incorporated in the policies of the *General Plan*.

**Comment:** Mr. Munroe notes that the *EIR* should consider that development under the Newman *General Plan* will contribute to the cumulative increases in waste disposal countywide.

**EIR Response:** Comment noted. The *EIR* was revised to reflect this consideration.

David Jones  
Stanislaus County Department of Environmental Resources  
Air Pollution Control District  
1716 Morgan Road  
Modesto, CA 95351

Letter dated 1/10/92

### Letter Summary

**Comment:** Mr. Jones questions the assumptions in the *General Plan* and Appendix A concerning the mix of residential units and nonresidential square footage.

**Response:** The residential density ratios that Mr. Jones cites are for the PMR designation, not for the plan as a whole. Both the number of dwelling units and nonresidential square footage reported in Chapter II and Appendix A were revised in the *Final EIR* to reflect modifications made to the *General Plan*, and Appendix A and Chapter II are consistent.

**Comment:** Mr. Jones supports the air quality policies included in the *General Plan*.

**Response:** Comment noted. No response necessary.

**Comment:** Mr. Jones supports the conclusions concerning the impacts on air quality.

**Response:** Comment noted. No response necessary.

**Comment:** Mr. Jones suggests revision of Table VII-3.

**Response:** Comment noted. Revised Table VII-3 reflects the new residential and nonresidential calculations presented in Chapter II and the Air Quality Modeling Assumptions presented in Appendix E. These revised TOG, PM10, CO, NOx, and SOx emissions estimates do not change the conclusions presented in this section..

Erma Santos

Letter received 1/13/92

### **Letter Summary**

Ms. Santos commented that the growth under the *General Plan* would adversely affect air quality, water accessibility, air quality, crop production, and wildlife habitat.

### **EIR Response**

All these impacts are addressed in this *EIR*.

### **Letter Summary**

Ms. Ramos expresses concern about the impact the *General Plan* will have on air quality, farm land, water availability, wildlife, schools, sewer capacity, and the parkway. She also questions the cost of the *General Plan* and how it will be funded.

### **EIR Response**

The impacts of the *General Plan* on all the areas mentioned by Ms. Ramos are analyzed in the *EIR*. See response to Steve Burke, Land Utilization Alliance (1/13/92) for response to financial issue.



Ruth A. Haynam  
Gustine-Newman Veterinary Service  
29013 Highway 33  
Newman, CA 95360

Letter dated 1/13/92

### **Letter Summary**

Mrs. Haynam's letter included several comments concerning projects other than the *General Plan EIR* and general city government operations. These issues will not be addressed in this *EIR*. She also questioned what provisions will be made for her veterinary business as a nonconforming use in the *General Plan*.

### **EIR Response**

Standards and procedures for existing nonconforming use zoning matters, with revision of the *Zoning Ordinance* is called out as an implementation program in the *General Plan*.

Steve Burke  
Board Member  
Land Utilization Alliance  
P.O. Box 1259  
Stockton, CA 95356

Letter dated 1/13/92

## Letter Summary

**Comment:** Mr. Burke suggests that the *Draft DEIR* is deficient as it lacks detail in assessing the project and its impacts, as well as studies and implementation programs as required by CEQA.

**Response:** According to Section 15146 of the *CEQA Guidelines*, "[T]he degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR. (a) An EIR on a construction project will necessarily be more detailed in the specific effects of the project than will be an EIR on the adoption of a local general plan or comprehensive zoning ordinance because the effects of the construction can be predicted with greater accuracy. (b) An EIR on a project such as the adoption or amendment of a comprehensive zoning ordinance or a local general plan should focus on the secondary effects that can be expected to follow from the adoption or amendment, but the EIR need not be as detailed as an EIR on the specific construction project that might follow." The *CEQA Guidelines* further note that in *Atherton v. Board of Supervisors of Orange County* (1983), "an EIR need not engage in a speculative analysis of environmental consequences for future and unspecified development." For the *Newman General Plan* which is the project for this *EIR*, there are aspects of the project that cannot be evaluated in detail at this time. Precise design of many of the implementation measures will require detailed engineering studies and biological studies at the time of implementation. If there are issues which need to be addressed further, when actual construction projects are proposed for implementation, the City will require subsequent project EIRs to address those issues.

**Comment:** Mr. Burke questions the lack of economic analysis in the *EIR*, generally and in specific references.

**Response:** Section 15131 (a) of the *Government Code* addresses "[E]conomic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes." There are numerous implementation programs contained in the *General Plan* which provide for analysis and funding, including the completion of infrastructure studies and establishment of financing programs.

**Comment:** Mr. Burke questions the legality of deferring many of the implementation programs.

**Response:** The *General Plan EIR* is a program EIR rather than a project EIR, as described in the Introduction of the *EIR* under "Types of EIRs." Since no specific development project is proposed

as part of the *General Plan*, policies of the *General Plan* are included to apply to future development under the *General Plan* in order to mitigate potentially adverse impacts. The function of the *General Plan* program is to identify the cumulative impacts which might not be addressed on a project-by-project basis and identify mitigation measures that can be included at a systemic level in the City's policies and procedures. Future development in the city must be consistent with the policies of the *General Plan*, and therefore consistent with its policies. Further, Program IX.1 of the *General Plan* requires that the Planning Commission review City *General Plan* policies to ensure they are being carried out. The *General Plan* addresses the long-term development in Newman, and recognizes the importance of ongoing and future studies. To delay adoption of the *General Plan* until all relevant studies were completed, however, could defer its adoption indefinitely.

**Comment:** Mr. Burke questions language suggesting that modifying the City's level of service is not an appropriate way to mitigate the impacts along Highway 33.

**EIR Response:** Comment noted. The *EIR* identifies the impacts as significant.

**Comment:** Mr. Burke makes several comments questioning how specific *General Plan* policies will be implemented or interpreted.

**EIR Response:** These comments address the implementation of policy, rather than environmental issues. Mr. Burke is encouraged, however, to review Part III, Implementation, of the *General Plan Policy Document*.

## Letter Summary

Mr. McGrath, representing Stanford University, made several comments on the *Draft EIR*.

**Comment:** The *Draft General Plan* does not address the conversion of prime agricultural land prior to non-prime land.

**EIR Response:** The timing of development over the time frame of the *General Plan* is unknown; this *EIR* addresses the cumulative impacts of development throughout the Planning Area.

**Comment:** Mr. McGrath suggests that the *EIR* should include the findings and mitigations continued in the wastewater treatment plant expansion *EIR*.

**EIR Response:** Since the *General Plan* includes a larger area than was envisioned in the treatment plant expansion *EIR*, the findings and mitigations of this earlier *EIR* are not directly relevant. The *General Plan EIR* assumes further expansion of the treatment plant.

**Comment:** Mr. McGrath suggests a study of the economic feasibility of planned industrial land uses be conducted.

**EIR Response:** Economic and social factors are not required for purposes of CEQA. A mix of land uses, however, is necessary to achieve many of the City's overall goals and policies. Many of the policies and implementation programs in the plan address economic development.

**Comment:** Mr. McGrath suggests a site-specific analysis of the impacts on the Stanford Ranch property be done as part of this analysis, since the site is surrounded by residential lands and expressways.

**EIR Response:** See response to Steve Burke, Land Utilization Alliance (1/13/92), concerning degree of specificity.

**Comment:** Mr. McGrath suggests that land use designations be evaluated for environmental effects and consistency with CEQA and LAFCO Guidelines.

**EIR Response:** Pursuant to the requirements of CEQA, this *EIR* analyzes the environmental impacts of all the land use designations in the *General Plan*. LAFCO has authority over spheres of influence and annexations, but does not have authority to determine the types of land uses planned by a city.

**Comment:** The *General Plan* should evaluate the availability of infrastructure as a factor in the timing of development of parcels more closely located to such services.

**EIR Response:** While this comment addresses a policy issue, the *General Plan* policies encourage contiguous development linked to the provision of city services. The infrastructure plan



also addresses the availability of existing infrastructure capacity to specific areas of the Planning Area.

**Comment:** Mr. McGrath suggests that the parkway circulation plan may have adverse impacts.

**EIR Response:** The parkway was eliminated in the final *General Plan* and replaced by a set of major arterials.

**Comment:** Mr. McGrath comments that two additional mitigations are available to mitigate the conversion of prime agricultural lands: reduction in the size of the Planning Area and converting non-prime agricultural lands before converting prime agricultural lands for urban uses.

**EIR Response:** The first mitigation suggested is essentially that identified in the *EIR*: removing land from the Planning Area. The *EIR* analyzes the impacts of development of the entire project, as required by CEQA. Delaying conversion of agricultural land conversion does not reduce the significance of the impact of its conversion within the time frame of the *General Plan*.

**Comment:** Mr. McGrath suggests that the *General Plan* is ambitious in terms of size and includes too much industrial land use designations, and comments that the *EIR* notes that not all the nonresidential land use designations may develop within the time frame of the *General Plan*. He also suggests that industrial development has greater impacts than residential development.

**EIR Response:** The *General Plan* is a "long-term" plan for the City of Newman, and is thus ambitious. While the plan is intended to be at least a 20-year plan, it includes no goals or policies attempting to fully achieve development of all the land in the Planning Area within that time frame. Although it is possible that not all the land within the plan will develop over the next 20 years, this *EIR* analyzes the impacts of full buildout to identify the full impacts of the project as required by CEQA. Residential and nonresidential development tend to have different types of impacts. Industrial development may have greater impacts on some resources, while residential development may have greater impacts on others. A mix of land uses, however, will create a better jobs-housing balance, better fiscal health for the City, and would ultimately reduce commuting to jobs outside Newman. The impacts of residential and nonresidential development are analyzed in this *EIR* and public facilities will be sized accordingly.

**Comment:** Mr. McGrath notes that estimates of existing commercial and industrial square footage were not made in Table II-5, and he questions the completion of the modeling for the *General Plan*.

**EIR Response:** This *EIR* focuses on the impacts of potential development. While estimates of existing commercial and industrial square footage were not made, the impacts of potential new development were estimated. The public facilities figures and capacity reflects that portion used by existing commercial and industrial development.

**Comment:** Mr. McGrath notes that the Stanford University-owned property is marginal farmland without prime soils, and suggests that designating this property for industrial uses will defer its development.

**EIR Response:** This is an issue of policy rather than a question on the adequacy of the *EIR*. Designation of this property for industrial uses was a land use planning decision based on its

location. This property was included in the *General Plan* for urban development because of its status as marginal farmland and its location as suitable for expansion of the city's existing industrial area, and proximity to the sewer treatment plant, both desirable features in connection with siting of industrial uses. The *General Plan* includes policies to promote the development of employment-generating development.

**Comment:** Mr. McGrath suggests that the evaluations of alternatives is inadequate, that the EIR should analyze different land use configurations as well as various population levels.

**EIR Response:** As stated in the analysis of alternatives, a general plan has an infinite number of alternatives. The *Issues and Options Report* identified qualitative policy and environmental alternatives; and based on the City Council's review, the three sketch plan alternatives presented three alternatives to achieve the city council's objectives based on the policy directions from the *Issues and Options Report*.

David L. Dolenar  
Chief Administrative Officer  
Stanislaus County  
P.O. Box 3404  
Modesto, CA 95353

Letter dated 1/13/92

### **Letter Summary**

Mr. Dolenar suggested modifications to policy language requiring that the rate of growth in Newman be linked to the provision of County services in addition to City-provided services and also suggested that this policy be revised to provide for the financing of all impacted services.

Mr. Dolenar also suggests that the *EIR* should analyze the impacts on County and other governmental services.

### **EIR Response**

Policy I.A.2 links the rate of growth to the provision of City services (e.g., water, sewer, law enforcement) and schools, since these are the services that most directly affect the health and safety and the quality of life of the city's residents. To link the rate of growth to the provision of services over which the City has no authority would be to relinquish discretionary authority over development in Newman to another agency. This policy does not mean, however, that new development will not address other services. This policy was modified to refer to the "provision" of services; financing of services is implicit in their provision.

Mr. Dolenar does not specifically describe to which County services he refers. The *EIR* does analyze the impacts on library service, solid waste facilities, and on other governmental agencies with facilities in Newman. Development under the *General Plan* will increase the demand for various county services (e.g., jails, courts); it is difficult to quantify the effects on County services, however, without information on the demographics countywide. The County's Public Facilities Fees are assessed on new development countywide, including within the Newman city limits. Therefore the effects on County services are deemed less-than-significant.

## Letter Summary

**Comment:** Mr. Herum suggested that language be added to the *EIR* to explicitly state that the *General Plan EIR* in conjunction with the site-specific *EIR* for the Northwest Quadrant Specific Plan would be used as a tiered *EIR* for annexation of the area to the city.

**EIR Response:** The *EIR* states that it serves as a first-tier *EIR* for subsequent *EIRs* and projects implementing the *General Plan*. It is not necessary to refer to a specific project. Further, this *EIR* makes no judgments concerning the adequacy of the project *EIR*.

**Comment:** Mr. Herum suggests that the impacts on Prince Road and Orestimba Road could be mitigated by defining a level of service other than C, as was suggested for Highway 33.

**EIR Response:** The impacts on these roadways were mitigated in the final *General Plan* by classifying these roadways as arterials. The language concerning Highway 33 was omitted, and this impact is defined as significant.

**Comment:** Mr. Herum suggests that the analysis of groundwater be revised to reflect that converting agriculture to urban use may have no effect on groundwater if both rely on groundwater supplies since the two uses often have similar water demands.

**EIR Response:** Comment noted. Since much of the agricultural operations rely on surface water supplies which would not be available to urban uses upon annexation, however, the conclusion of the *EIR* remains unchanged.

**Comment:** Mr. Herum notes that in the analysis concerning the County's Agricultural Element, development of agricultural areas within a revised sphere of influence for the City of Newman would not be inconsistent with the policies of the *Agricultural Element*.

**EIR Response:** The discussion of the Agricultural Element was revised to reflect the adopted version. This *EIR* does not speculate over the area which LAFCO will ultimately include in a revised sphere of influence for Newman.

**Comment:** Mr. Herum suggests that there are significant social and economic factors which outweigh the adverse impacts of the loss of agricultural land and the adverse impacts on regional air quality.

**EIR Response:** Comment noted. No response is necessary.



**Comment:** Mr. Herum suggests that impacts on Swainson's Hawk foraging habitat be addressed at the site-specific level.

**EIR Response:** Policies were included in the *General Plan* to address the Swainson's Hawk (see response to Erik Justesen, RRM (1/8/92). These policies can be implemented at a citywide and project-specific level.

Ron E. Freitas  
Stanislaus Local Agency Formation Commission  
1100 H Street  
Modesto, CA 95354

Letter dated 1/13/92

### Letter Summary

**Comment:** Mr. Freitas suggests revising the EIR to reflect the changes made to the County's Agricultural Element.

**EIR Response:** Comment noted. References were updated to reflect the adopted Agricultural Element.

**Comment:** Mr. Freitas expressed concern over the potential impacts on County services from the projected growth.

**EIR Response:** The *EIR* does analyze the impacts on library service, and on other governmental agencies with facilities in Newman or those directly affected by Newman (e.g., school district, hospital district). It is assumed that development within the *General Plan* will take place after annexation to the city and will thus be provided with City services to new developments.

**Comment:** Mr. Freitas suggested that the May's Ranch proposal has been abandoned and references should be removed.

**EIR Response:** Comment noted. References were deleted.

**Comment:** Mr. Freitas would like to see an analysis of mitigations to reduce the impacts of agricultural land conversion.

**EIR Response:** See response to Luree Stetson (12/27/91), California Department of Conservation

Keith Mahan  
Agricultural Commissioner  
Stanislaus County Department of Agriculture  
Department of Weights and Measures  
725 County Center III Court  
Modesto, CA 95355

Letter dated 1/14/92

## Letter Summary

**Comment:** Mr. Mahan suggests that the City institute a development fee of \$5.00 per unit to address impacts on the Department of Weights and Measures.

**EIR Response:** The letter did not contain any supporting documentation to indicate how the per unit cost figure was derived, so assumptions concerning the types and rate of growth are unknown. The City decided not to identify a fee as part of the *General Plan*, feeling that these impacts are more appropriately addressed on a countywide basis.

**Comment:** Mr. Mahan suggests that converting agricultural land to urban uses will result in paving with impermeable surfaces which will affect groundwater recharge.

**EIR Response:** The *EIR* briefly addresses possible affects of development under the *General Plan* on regional groundwater resources in Chapter VII, "Natural Resources." The *EIR* also presents the City's policy response that has been proposed to address protection of water resources. Although the precise effect of future increases in development on groundwater resources is unknown, the City has proposed a number of specific policies that would be used to reduce development impacts on the groundwater resource and reduce the City's current dependence on groundwater resources for water supply (see Policies VI.A.2, VI.A.3, VI.A.4, IV.B.1, IV.B.5, IV.B.6, and IV.B.7).

The *EIR* also indicates that development under the *General Plan* would result in an increase in urban-generated water pollutants and a decline in agriculture-generated water pollutants as agricultural land is converted to urban uses. A more precise estimate of the tradeoff between increased urban pollutants and decreased agricultural pollutants could be estimated at the project-specific level. However, to clarify the significance finding under the "Impacts" section on page VII-3, the last sentence was revised as follows:

*Agricultural land conversion resulting from development under the General Plan would eventually eliminate groundwater infiltration of agricultural contaminants in the planning area, resulting in a partial tradeoff between urban and agricultural water quality effects. The General Plan includes numerous policies that are designed to reduce water quality effects, therefore this impact is considered less-than-significant. The specific water quality effects of future development shall also be addressed on a case-by-case basis.*

**Comment:** Mr. Mahan comments that conflicts between residential and agricultural uses will increase and suggests the use of buffers to minimize these conflicts.

**EIR Response:** The *EIR* acknowledges the potential for land use conflicts. The *Policy Document* includes policies to minimize conflicts, through the use of buffers (Policy VI.B.4).

**Comment:** Mr. Mahan comments that the loss of agricultural land is a significant financial loss and suggests a financial study of the economic impact of revenue generated by agricultural activities versus urbanization to identify a cost/benefit ratio of the *General Plan*. He also notes that the loss of agricultural land from the *General Plan* will contribute to the cumulative loss.

**EIR Response:** The *EIR* estimates the value in loss of agriculture in Chapter VII of this *EIR* (see Table VII-2). It also recognizes that conversion of agricultural lands under the *General Plan* will contribute to the cumulative loss of agricultural land. Concerning the financial analysis suggested, economic and social effects are addressed in Section 15131(a) of the *State CEQA Guidelines*, as follows:

*Economic or social effects of a project shall not be treated as significant effects on the environment. An EIR may trace a chain of cause and effect from a proposed decision on a project through anticipated economic or social changes resulting from the project to physical changes caused in turn by the economic or social changes. The intermediate economic or social changes need not be analyzed in any detail greater than necessary to trace the chain of cause and effect. The focus of the analysis shall be on the physical changes.*

**Comment:** The reserve areas include kit fox habitat; this impact is not adequately addressed in the *EIR*.

**EIR Response:** While possible kit fox habitat occurs along the Wasteway adjacent to an area designated Urban Reserve, the *General Plan* includes policies which commit the City to support state and federal laws and policies to preserve populations of rare, threatened, and endangered species, and to mitigate adverse impacts to these species, which would avoid significant impacts to the San Joaquin kit fox. If the kit fox are located in the area for Urban Reserve, these policies would govern any development in this area.

**Comment:** Mr. Mahan questions that conclusion that PM10 emission would decline, and notes that a PM10 study is currently being undertaken by the San Joaquin Unified APCD.

**EIR Response:** As stated by Mr. Mahan, the study to which he refers is underway and no conclusions are this available. However, it is clear from available studies that a major portion of PM10 originates from exposed soil areas which, other than in construction areas, are not typical of urban environments. Exposed soil areas, such as disturbed or otherwise unvegetated agricultural fields and unpaved roads are typical of agricultural areas. It is also reasonable to assume that at least a portion of the paved road dust mentioned in the comment is actually resuspended dust from other origins.

The California Air Resources Board (ARB) estimates that agricultural operations account for a substantial portion of all the PM10 generated in Stanislaus County. Because development under the *General Plan* would create only temporary soil disturbance during project construction and because conversion of agricultural land would reduce farming operations locally, PM10 emissions within the Planning Area are expected to decline.



Michael Hinshaw  
California Department of Transportation  
1976 East Charter Way  
Stockton, CA 95201

Letter dated 1/15/92

### **Letter Summary**

Mr Hinshaw suggests that the City add a policy concerning cooperation with Caltrans concerning State Route 33, and suggested widening of critical intersections and restricting access to address traffic service levels along Highway 33.

### **EIR Response**

Policy II.A.5 specifies such cooperation with Caltrans. The measures suggested by Mr. Hinshaw will be required to achieve the intent of Policy II.A.1 in endeavoring to maintain level of service C.

## Letters Summary

Numerous letters and public comment were received opposing the parkway/ring road circulation proposed in the *Draft General Plan*. The following letters were submitted opposing to the parkway, in addition to verbal comments at public hearings on the *Draft General Plan* and *Draft EIR*.

- Frank H. Duarte Letter undated
- Tom and Barbara Powell Letter dated 1/6/92  
27631 Fig Lane  
Newman, CA 95360
- Erma Santos Letter received 1/13/92
- Mary and Ed Relvas Letter received 1/13/92
- Sadie Oliveira Letter dated 1/12/92  
25701 Jorgensen Road  
Newman, CA 95360
- Antonio Cordeiro Letter dated 1/9/92

Additionally, 374 Newman residents signed a petition asking for the removal of the Parkway from the General Plan.

## EIR Response

The City selected an alternative circulation scheme for the final *General Plan*, therefore most of the comments regarding the impacts of the parkway are moot. The impacts and traffic volumes of the arterial roadway system is analyzed in the *EIR*. As stated in the *EIR*, the impacts from proposed roadways on specific properties will be analyzed when precise alignments for the roadways are determined, most likely at the specific plan stage.

U.C. BERKELEY LIBRARIES



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